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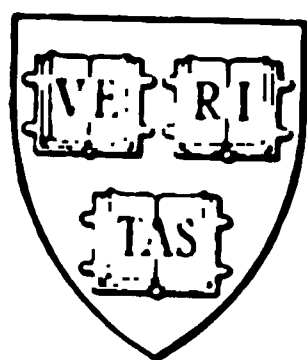
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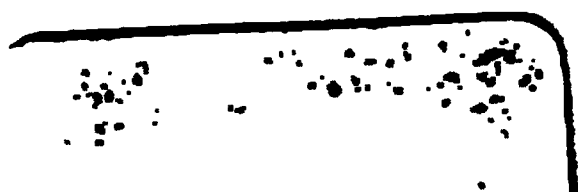
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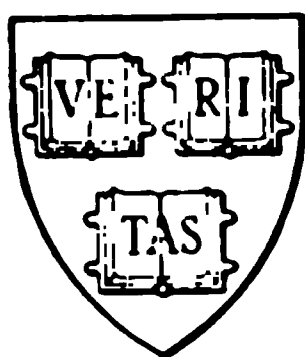
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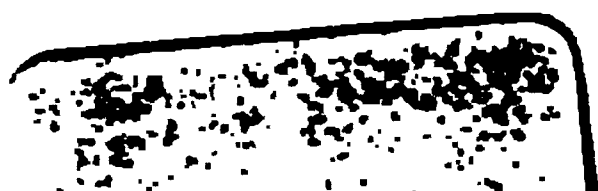
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57TH CONGRESS, }
1st Session.

SENATE.

{ Doc. No. 331,
Part 3.

AFFAIRS IN THE PHILIPPINE ISLANDS.

HEARINGS

BEFORE THE

COMMITTEE ON THE PHILIPPINES

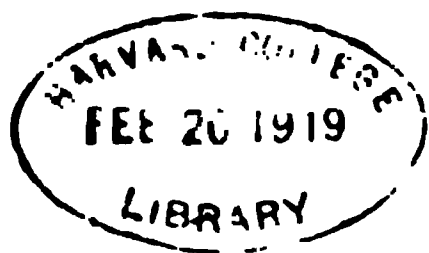
OF THE

UNITED STATES SENATE.

APRIL 10, 1902.—Ordered printed as a document.

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WASHINGTON, D. C., *Saturday, May 3, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman, and Senators Allison, Beveridge, Burrows, Dietrich, Rawlins, Carmack, Culberson, Dubois, and Patterson.

TESTIMONY OF LEROY E. HALLOCK.

(Sworn by the chairman.)

By the CHAIRMAN:

Q. You were in the Army?—A. Yes, sir.

Q. In what regiment?—A. Twenty-sixth Volunteers.

Q. In what company?—A. Company I.

Q. What rank did you hold?—A. Sergeant.

Q. And you were mustered out as a sergeant?—A. No, sir.

Q. You were mustered out as what?—A. As a private.

Q. And then you lost your rank as sergeant?—A. Yes, sir.

Senator ALLISON. When?

The WITNESS. At Nagasaki, Japan.

Senator ALLISON. When?

(The witness did not answer.)

By the CHAIRMAN:

Q. When were you mustered out?—A. On May 13, 1901.

Q. How long were you in the Philippine Islands?—A. I arrived there October 27, 1899, and left there March 6, 1901.

Senator CULBERSON. Where do you reside, Mr. Hallock?

The WITNESS. Boston, Mass.

By the CHAIRMAN:

Q. Did you enlist from Massachusetts?—A. Yes, sir.

Q. At Framingham?—A. At Worcester.

Q. Were you living at Worcester at that time?—A. No, sir.

Q. Where was your regiment stationed during the period you were in the Philippine Islands?—A. The first three months I was stationed at Iloilo. After that the headquarters of the company was Leon, Panay.

Q. Did you see any cases of water cure or torture applied to the natives?—A. Yes, sir.

Q. Where?—A. At Leon.

Q. State the circumstances, please.—A. There were about ten or a dozen natives captured that were thought to be implicated in the murder of one of the members of our company.

Q. O'Hearn?—A. Yes, sir.

Q. It was stated in one of the reports that he was roasted over a slow fire and then hacked to death with bolos.—A. That is the confession of the natives; yes.

Q. And these men were captured who were believed to have had something to do with that?—A. Yes, sir.

Q. Now you may go on and state the circumstances.—A. What led to the capture of these natives, it was reported that Captain Glenn or some soldiers under his orders gave the water cure to a native and he confessed and told who the others were that took part in the killing

of O'Hearn, and these members of our company captured these natives and gave them the water cure, and they confessed it.

By Senator BURROWS:

Q. Confessed to what?—A. To having a part in the killing of O'Hearn.

Q. Having had a part in it?—A. Yes, sir.

By the CHAIRMAN:

Q. Who inflicted this punishment upon the natives?—A. The members of Company I.

Q. Were they ordered to do so?—A. Yes, sir.

Q. Who ordered them to do so?—A. The first sergeant.

Q. Who was the first sergeant?—A. Januarius Manning.

Q. Do you know him?—A. Yes, sir.

Q. Is he now a resident of Boston?—A. Yes, sir.

Q. You may state any details you wish in regard to the treatment of these natives.

Senator ALLISON. You saw this?

The WITNESS. Yes, sir.

By the CHAIRMAN:

Q. You saw the water cure inflicted?—A. Yes, sir.

Q. Did you take part in it?—A. No, sir.

By Senator RAWLINS:

Q. Who was in command of this company at that time?—A. Alexander Gregg.

Q. How many troops were at Leon at the time this occurred?—A. About half of the company, I should say.

Q. Was Captain Gregg there at the time?—A. Yes, sir; he was there at the quarters.

Q. How far from the quarters was this torture inflicted?—A. Less than a hundred yards.

Q. Did all the command know about it at the time?—A. Yes, sir.

Q. Captain Gregg knew about it?—A. I don't know how he could help knowing it.

Q. You say that a member of your company had been reported killed?—A. Yes, sir.

Q. That information, I understand you to say, was derived from Captain Glenn?—A. I think a detail of our company was out looking for O'Hearn and they made a detail under Captain Glenn, and they got some native and gave him the water cure and he confessed and gave the others away and told who took part in it.

Q. That was, as you understand it, the result of the application of this torture: as a result of that torture some native, to relieve himself, stated he had taken part in the killing of this soldier?—A. Yes, sir.

Senator ALLISON. I object to Senator Rawlins putting words in the mouth of the witness—"to relieve himself." He said nothing of the kind.

By Senator RAWLINS:

Q. I am asking if that was not what was reported to you; that, as a result of this torture, this native stated he had participated in this killing?—A. Yes, sir.

Q. And named about a dozen other natives?—A. Yes, sir.

Q. And these twelve who were also reported by Captain Glenn to have been named by this native after the water cure had been given to him, where did they live?—A. In the vicinity of 5 or 6 miles from our quarters.

Q. Five or six miles from the army?—A. Yes, sir.

Q. And upon that information they were arrested?—A. Yes, sir.

Q. And brought to Leon?—A. Yes, sir.

Q. And they were taken out and the water torture applied to each of them?—A. Yes, sir.

Q. You may state whether it was given to them more than once.—

A. It was given to them on two different days; it was given to them on August 21, 1900, and on August 23, 1900, to the best of my recollection.

Q. And what was the purpose of subjecting them to the torture?—

A. To see if they had participated in the murder of O'Hearn.

Q. The first day they did not get all the information they desired—was that it?—A. Yes, sir.

Q. And so the torture was repeated the following day?—A. Yes, sir.

Q. And on the following day, as I understand you, these persons who were subjected to this torture confessed that they participated in the killing of the soldier?—A. On the 21st and 23d of August.

The CHAIRMAN. Was this 1900?

The WITNESS. Yes, sir.

By Senator RAWLINS:

Q. What was the effect upon these natives of giving this water cure?—A. They would swell up—their stomach would swell up pretty large—and I have seen blood come from their mouth after they had been given a good deal of it.

Q. And on the second day, do you know what information they gave: how was it obtained?—A. No, sir; only that they confessed to having had a part in it.

The CHAIRMAN. Did they confess to having killed O'Hearn?

The WITNESS. To having taken a part in the murder of O'Hearn.

The CHAIRMAN. Did they confess to having roasted him over a slow fire?

Senator RAWLINS. Let me complete this examination before I am interrupted.

Q. Was the communication from these prisoners subjected to this torture given through an interpreter?—A. Yes, sir.

Q. A native interpreter?—A. Yes, sir.

Q. You could not understand what they said, I suppose?—A. I could understand some of it.

Q. Can you give anything that any one of these men subjected to this torture said; what their language was?—A. No, sir.

Q. You can not?—A. No, sir.

Q. Did the company detailed to subject these men to this torture get any information the first day from these 12 men, or any of them?—A. The first day they gave them the water treatment?

Q. Yes.—A. Yes, sir.

Q. Do you know what information they got the first day?—A. It was in regard to the killing of O'Hearn. There were 12 of them that were given this water treatment, and I do not think they got through with all of them on the first day, and they finished it on the second day, the 23d of August.

By Senator ALLISON:

Q. That is, they did not repeat it on those that had taken it the day before?—A. Yes, sir; some of them.

Q. On some of them they repeated it?—A. Yes, sir.

By Senator RAWLINS:

Q. What was done with these 12 men after they had been subjected to the water cure?—A. They were confined there in the guardhouse. Some of them escaped and some of them were killed while trying to escape.

Q. How many of them were shot to your knowledge?—A. I should say five or six.

Q. You know of five or six of them having been shot?—A. Yes, sir.

Q. How soon after the infliction of the water torture?—A. I could not state the exact time. It was before we left there.

Senator BEVERIDGE. Shot while trying to escape?

The WITNESS. Yes, sir.

By Senator RAWLINS:

Q. About how long?—A. I should say some of them were shot within four or five months.

Q. Where were those men confined?—A. At the guardhouse, in quarters at Leon.

Q. Can you describe that guardhouse?—A. It was a room about 20 or 25 feet by 25 feet, with iron bars at the windows; there was one window and two doors entering the room. The doors were kept locked by means of a padlock, and there were iron bars at the window.

Q. How many soldiers stood guard?—A. At the guardhouse?

Q. Yes.—A. This guardhouse was at the guard quarters and the sergeant or corporal who was in command of the guard was stationed at the door all the time, and then there was the number one sentry who stood right in front of the quarters, and at night he stood at the door. So there were one or two there all the time, besides the door being locked.

Q. And how near were the soldiers stationed to the guardhouse?

A. The soldiers' quarters were right above on the next floor, upstairs.

Q. In the same building upstairs?—A. Yes, sir.

Q. How many soldiers were there?—A. It varies. I should say from thirty to fifty all the time.

Q. How many prisoners were kept in this guardhouse—natives, I mean?—A. Some of the time there were ten or a dozen and sometimes as high as eighteen, I should say.

Q. Do you remember the occasion when any of these particular natives who had been subjected to the torture tried to escape?—A. I could not give the date, but I remember times they did.

Q. Did they succeed in getting out of the building?—A. It was not when they were in the building they tried to escape; it was while they were working down at the river, taking a bath.

Q. Who had them in charge at that time?—A. Sentries.

Q. How many altogether were shot at that time?

Senator BEVERIDGE. He stated that twice.

Senator RAWLINS. No; he has not.

Senator BEVERIDGE. Five or six, he said.

Senator RAWLINS. No; I asked him how many altogether. He stated five or six of these men who had been tortured were shot.

Senator BEVERIDGE. Five or six were shot while attempting to escape; although I have no objection to his repeating it.

By Senator RAWLINS:

Q. Will you answer the question?—A. I do not understand the question.

Q. These attempted, you say, to escape; how many of those were killed?—A. I do not know what time you mean.

Q. As I understood you, on some occasion after this torture was inflicted some of these native prisoners while out from the guardhouse attempted to escape, and some of them were killed. I want to know, if you know, how many were killed at that time.—A. There was one occasion, one night, somewhere about 5 or 6 o'clock, that they were taken down to the river for a bath. I think there were five or six of them. They tried to get away while down there and one of them was shot and three or four escaped. Then on another occasion they were out working and there were four shot at that time while trying to escape.

Q. Did all these prisoners escape that were confined?—A. No, sir.

Q. How many of them were killed altogether?—A. I can not give the exact number. Five or six.

Q. Were all killed who did not escape?—A. I think so. There may have been one that was given his freedom, I won't say for sure. It seems to me there was one who was let go.

Q. With the exception of one all escaped or were killed?—A. Yes, sir.

Q. Are you sure as to whether that one was given his freedom or not?—A. Yes, sir.

Q. While you were there were there any villages burned?—A. Yes, sir.

Q. How many?—A. I was only present at the time one was burned; but I have known of as many as half a dozen being burned.

Q. How large were these villages?—A. The one that I witnessed being burned I should say was three or four thousand people; that that many people lived there.

Q. What was the name of it?—A. I don't know the name of it.

Q. How large were the others that you know of having been burned?—A. There was a town about 8 miles from Leon which was burned. I think there were eight or ten thousand people there.

The CHAIRMAN. Was that Igbarras?

The WITNESS. No, sir. The name of that town was Tubungan; that is about half way from Leon to Igbarras.

Senator RAWLINS. What others were there that you know of; you have named two, I think, one of 3,000 and one of 8,000?

By Senator BEVERIDGE:

Q. Do you know of these towns being burned simply by hearsay?—A. I witnessed one of them.

Q. But the others; do you know of their being burned simply by hearsay?—A. I know of their being burned by the members of the company talking about them.

Q. Can you name the member of the company who told you about that now?—A. I could not name anyone that told me, but I can name several that were present.

Q. Can you name anyone who told you?—A. No, sir.

Senator BEVERIDGE. I object to any testimony on this subject that is hearsay.

By Senator RAWLINS:

Q. I will ask the witness this. You observed the flames in the distance, did you?—A. The smoke; not the flames.

Senator BEVERIDGE. Is this direct examination?

Senator RAWLINS. This is cross-examination.

Q. And you saw the smoke of the villages that you did not see being burned?—A. I saw smoke from this town of Tubungan when that was burned.

Q. Have you been over the ground where these towns were, that you learned were burned? Have you been over that ground since they were burned?—A. Yes, sir.

Q. And what have you observed there at those towns; were they left or were they burned?—A. They appeared to be deserted; everything was burned, houses and shacks, with the exception, perhaps, of a few on the outside of the town, on the roads or trails that would not be burned, that were close to the town.

Q. I will ask you—you have been around in that vicinity and you had occasion from time to time to visit around—while you were stationed at Leon and Panay what if any towns were left unburned?—A. The town of Tigbauan, the town of Oton, the town of Alimodian, the town of San Miguel, the town of Arevalo, and a good many smaller barrios.

Q. And how many towns were burned; that is, towns you know by having learned that the towns were burned and afterwards having been over the ground and seen that they were burned?—A. There was only one that I was a witness to.

Q. But you know the others by reputation, and you say that you had occasion to visit them afterwards, as I understand it, and saw that they had been burned?—A. Tubungan is the only large town that I know of. If we were out on a march over the mountains if we found any evidence of insurgents being there we burned the small barrios as we went along.

Senator BEVERIDGE. Did I understand you to say after having been there that you personally know of these six towns you mentioned having been burned?

The CHAIRMAN. Those were the six towns not burned that he mentioned.

Senator BEVERIDGE. I understand; but Senator Rawlins, after he named a town that he knew of being burned, attempted to show that other towns were burned by asking him whether he had not seen smoke?

The CHAIRMAN. I understood the witness to say he only knew of one town of that kind.

Senator BEVERIDGE. That is the point. Senator Rawlins was proceeding upon the assumption that he had visited all these other towns.

Senator RAWLINS. No; I proceeded upon no such assumption.

Senator BEVERIDGE. That is what your questions show, and I wanted to clear it up.

By Senator RAWLINS:

Q. What became of these people who inhabited these towns that were

burned?—A. I think they went into other towns. They didn't build up the towns at all.

Q. They did not attempt to rebuild the towns?—A. Not to my knowledge.

Q. Do you know whether or not they were permitted to rebuild these towns that were destroyed?—A. I could not say.

Q. Do you know of any attempt on the part of the natives to rebuild any town that was destroyed?—A. No, sir.

Q. Did you know of any natives around Leon who were begging for food?—A. Yes, sir. They have a market day there in those towns once a week, and on that day a good many beggars would be around.

Q. You may state to what extent the burning went in the case of these towns that were burned—whether it extended to food and household articles and things of that description.—A. Yes, sir.

Q. Did it so extend?—A. The one that I witnessed being burned, they did not have time to get anything out to speak of; they might have had time to get what valuables they had out, but they did not have time to move their furniture or food.

By Senator ALLISON:

Q. You only witnessed the burning of one town?—A. Yes, sir.

Q. And that was done rapidly?—A. Yes, sir.

By Senator RAWLINS:

Q. This burning you have described and the infliction of the water torture—you may state whether or not it was a matter of common repute among the soldiers with whom you came in contact that those things were practiced.

Senator BEVERIDGE. I object. We have had that question up two or three times.

The CHAIRMAN. I think the witness is entitled to say whether the thing was a matter of common repute.

The WITNESS. It was reported that if the soldiers wanted to get any information out of the natives they gave them the water cure, and in any town where there was any evidence of being insurgents the town was burned.

By Senator RAWLINS:

Q. Then, as I understand it, that was a matter of common repute; the inflicting of this water torture and the burning of these towns was a matter of common repute?

Senator ALLISON. If you understand it, you do not understand it from the witness.

Senator RAWLINS. I asked the witness whether or not it was a matter of common repute, and he said it was reported among the soldiers that whenever they wanted to get information they applied the water torture, and when they obtained the information and they found that a town contained insurgents they burned the town. Let it rest at that.

Senator ALLISON. I think that is right.

By Senator RAWLINS:

Q. Now, I want to recur. Whom did you ever hear say that this soldier—I believe he was a member of your company?—A. Yes, sir.

Q. Whom did you hear say that that soldier was burned to death?—A. That is what these natives confessed to.

Q. Have you no other source of information except the confessions of these men who were subjected to this torture?—A. What the natives confessed to is the only information we had.

Q. What the natives confessed to is the only information you had. Did they confess to that before or after the infliction of the torture?—

A. After. After we had found his bones—the bones of O'Hearn.

Senator ALLISON. Burned bones?

Senator RAWLINS. The Senator will allow me to interpose his own objection. Where did the Senator get the information that the bones were burned?

Senator ALLISON. Nowhere; I was only wanting to ascertain that fact.

Senator BEVERIDGE. It is a fair inference that the bones were burned when these prisoners confessed that they had burned the man.

Senator PATTERSON. I think the Senator from Indiana will admit that they confessed they burned the man to escape the water torture after they had been dosed with it two or three times.

Senator ALLISON. I will withdraw any remark that is offensive.

Senator DIETRICH. I would like to ask a question.

Senator RAWLINS. Please wait until I get through my examination.

By Senator RAWLINS:

Q. You found the bones of what you understood to be this missing member of your company?—A. Yes, sir.

Q. Where were they found, or do you know—were you present?—

A. I was not present when the bones were found.

Q. You do not know, then, of your own knowledge, in what condition the bones were when found?—A. Only by hearsay.

Q. Do you know whether those remains were brought to Leon?—

A. The bones were brought to Leon.

Q. Did you see them after they came there?—A. Yes, sir.

Q. Was there anything left except the mere skeleton?—A. Only pieces of bone, the head and different parts of the skeleton.

Q. What was their condition?—A. They were all in small pieces; the head was the largest piece, the piece that seemed to be the most intact.

Senator CULBERSON. How did you know that skeleton was the skeleton of the deceased soldier?

The WITNESS. The surgeon who was stationed at the quarters said that he was very sure it was O'Hearn's body by a front tooth being missing.

By Senator RAWLINS:

Q. The only means of identification was the absence of one front tooth; is that it?—A. Yes, sir; and the testimony which the natives gave that there was where they buried the bones.

Q. As I understand it, you had obtained the remains before the torture—or afterwards?—A. This native that was given the water cure first by Captain Glenn, as I heard, testified where the bones were, and they took the bones up and got the rest of the natives who testified that they had taken part.

Q. They had discovered the remains before they inflicted the torture on these 12 men?

Senator BEVERIDGE. He did not say anything of the kind. This witness is attempting to testify very clearly.

Senator RAWLINS. I am asking that very question.

Senator BEVERIDGE. No, you are stating that he did. The witness is doing the best he can. He had just before that said that they found the bones where the man who had had the water cure told them they were to be found.

By Senator RAWLINS:

Q. I am not insisting upon the form of the question. What I want to know is, whether or not the remains had been discovered before the torture was inflicted upon these 12 men; that is what I want to know.—

A. I am positive the bones were brought in the same night that the men were brought into the quarters.

Q. Then it was before the infliction of the tortures?—A. Upon these 12 men, yes.

Q. That is what I wanted to arrive at. Therefore, these 12 men who were subjected to the torture did not give the information which led to the discovery of these remains, or these bones?—A. The native to whom Captain Glenn gave the water cure, as testified a while ago, told who the other ones were that took part in it.

Senator BEVERIDGE. So that the discovery of the bones was the result of the water cure first administered to this one man.

By Senator RAWLINS:

Q. That you have no information about it except by hearsay, as I understand it; that is, what the others told you?—A. What the members of the company talked about and told to each other.

Q. All you know about it is what the others told you?—A. I was not a witness to it.

Q. How many men of your company had been killed during the entire time you were stationed at Leon in Panay—you were there all the time?—A. Yes, sir; on the island of Panay.

Q. How many men were killed?—A. Two men.

Q. Two men altogether?—A. Yes, sir.

Q. How many natives were killed during the same time by American soldiers?—A. I could not state the number.

Q. About how many?—A. It would be very hard for me to tell.

Q. Give us a general idea, if you can.—A. Well, if we got into a skirmish we could not tell how many men were killed or wounded.

Q. Were there a good many killed?—A. There were more killed than there were Americans.

Q. How many do you know of yourself having been killed?—A. Do you mean altogether in the fights we had there?

Q. Yes.—A. That the regiment participated in?

Q. That your company participated in—yes; the regiment.—A. In the neighborhood of 200 or 300, I should say, for a guess.

Q. How many fights did you yourself participate in?—A. Three, I think, sir.

Q. And in those three fights how many natives were killed?—A. In the neighborhood of 200, I should say.

Q. How many Americans were killed in those three fights?—A. I should say 20.

Senator BEVERIDGE. What means have you of knowing how many Filipinos were killed?

The WITNESS. The only means I have is the official report.

Senator BEVERIDGE. The rumor?

Senator CULBERSON. He said official report.

By Senator BEVERIDGE:

Q. The official reports?—A. Yes, sir. I only say this; that I guess that number.

Q. Then you are not attempting to quote official reports; you are making your estimate?—A. Yes, sir.

By Senator RAWLINS:

Q. How many wounded, Mr. Hallock, in those fights?—A. I could not say.

Q. You do not know that?—A. No, sir.

Q. Apart from the information that was derived from natives as a result of torture do you know how this soldier met with his death?—

A. The only information we had was what we got from the natives; what the natives confessed.

Q. The circumstances therefore of his death, what led to it, or how it occurred, all you know about it is what you have stated, that obtained from the natives as a result of application of torture?—A. Yes, sir.

Senator PATTERSON. I would like to ask a few questions.

The CHAIRMAN. I would like to ask a few questions first, having been waiting patiently.

Senator PATTERSON. I have no objection, if I can ask some afterwards.

By the CHAIRMAN:

Q. Did you witness any other cases of water cure?—A. No, sir.

Q. These were the only cases that you saw?—A. Yes, sir.

Q. Did the natives confess that O'Hearn was burned before he was murdered?—A. They confessed—perhaps I had better tell you the story of his capture and everything.

Q. Yes; tell the whole story.—A. O'Hearn, in company with two other soldiers from our company, was sent to Iloilo, after the mail, I think, and when they arrived back within about five or six miles of the company, or where the company was stationed, they were ambushed by about 100 insurgents, and two of them were captured. O'Hearn made a break to get away. This was on June 30, 1900. He made a break to get to the quarters, or at least we thought he did, and fell in, as we supposed, with friendly natives. They captured him, and on the next day, July 1, he was tied to a tree at 7 o'clock in the morning, and was tortured by cutting with bolos and by slow fire until 5 o'clock at night. So the natives confessed.

Q. The natives confessed to that?—A. Yes, sir.

Q. When they applied the water cure to these natives in order to get their confession, did you know that he had been tortured before being killed?—A. No, sir; we did not know anything about it.

Q. Then the infliction of the torture was entirely a voluntary confession?

Senator CULBERSON. He has not said it was voluntary.

A. The confession was gotten from the natives by means of the water cure.

By the CHAIRMAN:

Q. But did they ask them whether he was burned or whether he was murdered?—A. They asked him through the interpreter how they killed him.

Q. And then they confessed to the statement which you have just made?—A. Yes, sir.

Q. These men were subjected to the water cure in order to extort this confession. Did they die under the water cure?—A. No, sir.

Q. Were any of them executed subsequently for it?—A. Before given the water cure?

Q. I mean after they confessed, were any of them taken out and shot?—A. No, sir.

Q. They were simply confined in prison?—A. Yes, sir.

Q. What was the general attitude of the soldiers toward the natives; I mean toward the friendly natives among whom you lived? How did they treat them in ordinary life?—A. They treated them very well if they thought they were friends.

By Senator PATTERSON:

Q. Mr. Hallock, do you know what demand they made of the first Filipino they tortured before they tortured him?—A. No, sir.

The CHAIRMAN. Did you see the torture of that man, that first one, whom Glenn tortured?

The WITNESS. No, sir.

Senator BEVERIDGE. Of course this word "torture" is used here referring to what you refer to as the water cure. I do not know whether the soldiers themselves refer to it as a torture.

Senator CULBERSON. It is, in fact, a torture.

Senator PATTERSON. There is no misunderstanding about what it means.

Senator BEVERIDGE. But I wanted to make the word "torture" clear. No soldier uses the word torture in speaking of the water cure.

Senator PATTERSON. When I use the word torture I mean the water cure.

Senator BEVERIDGE. That is your construction of water cure?

Senator PATTERSON. Some people call murder homicide.

By Senator PATTERSON:

Q. Did they commence the torture of this man, the first man, for some definite purpose?—A. I don't know.

The CHAIRMAN. You have testified you were not present at the torture of the first man?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. Do you know whether this man denied any knowledge of the missing soldier before they applied the water torture to him?—A. I could not say, sir.

Q. Were you present when the water torture was applied to the other twelve?—A. I was present in most cases.

Q. Do you know whether, before it was applied, they had denied any knowledge of the affair?—A. I think they did deny it.

Q. Were they given to understand what they were to confess to to avoid the water torture?—A. Yes, sir.

Senator BEVERIDGE. Do you understand that question?

Senator PATTERSON. I will keep on asking it, so that there will be no trouble.

Senator BEVERIDGE. I do not know whether there will be any trouble or not.

Senator PATTERSON. If you wait you will see.

Senator BEVERIDGE. I understand your question and its purpose very well.

Senator PATTERSON. No; you do not.

Senator BEVERIDGE. Senator Lodge asked that same question in a direct way, and now you put this question in a way, as we all very well understand, to imply that what to confess was suggested to them.

Senator PATTERSON. Wait until I get through.

The CHAIRMAN. What is the question?

The stenographer repeated the question, as follows: "Q. Were they given to understand what they were to confess to to avoid the water torture?"

Senator PATTERSON. If you will wait I will ask another question that will settle all controversy.

Senator BEVERIDGE. But when you ask a question like that I propose to exercise my duty as a member of this committee to object to it.

Senator PATTERSON. I understand you will.

By Senator PATTERSON:

Q. What was it they were given to understand they were to confess to?—A. They were given the water cure and then asked questions through this interpreter what they knew about the killing of O'Hearn.

Senator BEVERIDGE. Ah!

Senator CULBERSON. That is a very proper exclamation, of course.

By Senator PATTERSON:

Q. Before the water cure was applied to them were they given to understand about the death of a soldier—that is, the soldier that was missing?—A. Before they were given the water cure?

Q. Yes.—A. The only way I know that they could know it would be by talking amongst themselves.

Q. What was the water cure applied to them for?—A. What was the water cure applied to them for?

Q. Yes.—A. To see what information they had in regard to the death of O'Hearn.

Q. Had they been told of the death of O'Hearn?—A. Not to my knowledge.

Q. Then, of course, they could not deny having any knowledge of the death of O'Hearn unless they had been told about it, could they?

The CHAIRMAN. Is it not proper to say, "Did they deny it?"

Senator PATTERSON. Yes.

The WITNESS. Please repeat that question.

Q. They could not very well deny having knowledge of the death of O'Hearn unless they were told of his death, could they—unless they had actually participated in his killing?

Senator BEVERIDGE. The witness has already testified, in answer to the questions put, what they did know about the death of O'Hearn.

Senator PATTERSON. I think these interruptions are intolerable.

Senator BEVERIDGE. The Senator is a lawyer and he knows very well that the question he just now put would submit him to a reprimand from the judge in a court, and I propose to object.

Senator PATTERSON. If the attorney on the opposite side of a case was to persist in interruptions such as the Senator from Indiana indulges in he would be fined for contempt, and if he still persisted in it he would be sent to jail.

Senator BURROWS. Either sent to jail or given the water cure.

Senator PATTERSON. He would go to jail before he would take the water cure.

(The question was repeated by the stenographer.)

Senator PATTERSON. Do you understand the question?

The WITNESS. Do you mean that they could not deny having any knowledge of it?

By Senator PATTERSON:

Q. They could not very well have known that they were charged with participating in the killing of O'Hearn unless they were told so, could they?—A. I don't see how they could.

Q. If they had not denied having knowledge of the killing of O'Hearn they would not have applied the water torture, would they?—

A. They applied the water cure to see what they did know about it.

Q. And if they had not denied knowing anything about it, would they have applied the water torture?—A. No, sir.

Q. If they had persisted in knowing nothing about the killing of O'Hearn, do you know how many times the water torture would have been applied?—A. I do not.

Q. They were relieved from further torture when they stated that they knew about the killing of O'Hearn; is that when they were relieved from the water torture?—A. Yes, sir.

Q. You say that after the first Filipino was tortured or had the water cure, whichever term you desire to use, they then went out and brought in some human bones. Is that right?—A. As I understood it, they were told where the bones were and the others that were complicated in it, and they went and got the bones and the other natives.

Q. The means of identification, as stated before, was simply the loss of a tooth, a missing tooth?—A. The loss of a tooth and what the natives told, that they confessed where they buried him.

Q. I understand that; but independent of what the natives said it was simply the loss of a tooth?—A. Yes, sir.

Q. These natives that underwent this torture were kept in the prison about five or six months?—A. Before they were given the water cure!

Q. No, after they were given the water cure.—A. I could not state exactly the time; I should say from three to seven or eight months.

Q. Were they ever brought to trial?—A. I do not think they were, sir.

Q. There was never any court-martial over the affair at all that you have any knowledge of?—A. There were some officers came up from headquarters, from Iloilo, and they had a hearing over at the officers' quarters at one time.

Q. Had a what?—A. Had a hearing about it.

Q. When was that?—A. I could not state the time; it was some time after the water cure was given to them.

Q. Then, what did you mean when, in response to a question, you said these Filipinos had never been brought to a trial?—A. They never had, to my knowledge.

Q. You say, then, the Filipinos were never brought to a trial, but you say something of some officers coming up from Iloilo and some proceedings. What was that?—A. I could not say. It was reported that it was something with reference to these prisoners.

Q. Sir?—A. It was reported that they were having some kind of a hearing about these prisoners.

Q. Simply the officers by themselves?—A. Yes, sir.

Q. Do you know why it was, if these natives confessed to the killing and the torture of O'Hearn, and the officers of the company or the regiment believed they had the correct men, that they were not tried and executed for the murder?—A. I could not say.

By Senator CULBERSON:

Q. You have testified, I believe, that five or six of these men were killed in attempting to escape?—A. Yes, sir.

Q. Do you know whether or not their effort to escape was encouraged by the American officers and soldiers?—A. I do not know, sir.

Q. What I wanted to find out was whether it was a bona fide effort on their part to escape or whether they were ever encouraged to make the effort for the purpose of affording an opportunity to shoot them. How was that?—A. All that I know is that it was reported that they were killed while trying to escape.

By Senator DIETRICH:

Q. How were these prisoners treated while in this guardhouse? Were they well treated—did they have plenty to eat?—A. Most of them got fat.

Q. Was this guardhouse the same guardhouse American soldiers were confined in when they had disobeyed rules?—A. No, sir; they never quartered the American soldiers in the same guardhouse with the Filipino prisoners.

Q. What was the standing of these natives? Were they men of influence and prominence, or were they just looked upon as being very common people?—A. A common run of people.

By Senator PATTERSON:

Q. You speak of two or three hundred Filipinos being killed and twenty or twenty-five Americans being killed in several conflicts you have referred to. Were any prisoners taken in any of those conflicts you have referred to?—A. Yes, sir.

Q. How many, about?—A. I should say, for an estimate, twenty or thirty.

Q. Do you know what became of them?—A. No, sir; I do not.

Q. How many were wounded; were there any wounded after these conflicts that were taken care of by the American soldiers?—A. Yes, sir.

Q. About how many?—A. There is only one case that comes to my mind now. He was taken to the hospital at Iloilo and treated.

Q. How many did you say?—A. One, to my knowledge.

Q. And do you know of any others?—A. No, sir.

Q. In these attacks or fights that you speak of, the Americans won, did they?—A. Yes, sir.

Q. They had possession of the field?—A. Yes, sir.

Q. Do you have knowledge of any more than one wounded in these conflicts that you were connected with falling into the hands of the Americans?—A. No, sir.

Q. Was there any opportunity for the Filipinos themselves to carry off their wounded in these conflicts?—A. They had the same opportunities that the Americans had.

Q. The Americans did, to do what?—A. To carry off their wounded.

Q. I understand the Americans charged, did they, as soon as there was an attack?—A. Yes, sir.

Q. The Filipinos fled, did they?—A. Yes, sir.

Q. What opportunity was there for the Filipinos to carry off wounded while they were fleeing and being pursued by the Americans?—A. They would carry them off in their arms.

Q. Did you see anything of that kind?—A. No, sir.

Q. Did you learn of anything of that kind in those conflicts?—A. It was a general report that they always carried off their dead if they could—and their wounded.

Q. That was the general report. I mean, did you have any knowledge of anything of this kind in these conflicts?

(No answer.)

By Senator BEVERIDGE:

Q. Mr. Hallock, speaking about these prisoners and wounded that Senator Patterson has been asking you about, this one man that you personally know about was taken to our hospital, did you say?—A. Yes, sir.

Q. And what physicians or surgeons attended him there—ours?—

A. I could not say what physicians.

Q. Was it in the same hospital where our wounded were taken?—

A. I think it was, sir.

Q. Was it the general understanding that Filipino wounded received the same treatment that our wounded did after they were brought in through our lines; or was there any general understanding that you know of about the subject?—A. I could not say about that.

Q. You merely know about the one case that fell under your observation?—A. Yes, sir.

Q. This was about two years ago, as I remember your testimony; it was in 1900?—A. It was in 1900 that this man was wounded.

Q. This whole occurrence that you have been testifying about?—

A. It was in 1901.

Q. The application of the water cure was in 1900?—A. Yes, sir.

Q. The application of the water cure was about two years ago. It is not important as to dates; I am simply fixing the general lapse of time. How long had you been in the Philippine service at that time?—

A. Before the water cure was given?

Q. Yes.—A. I arrived there the 27th of October, 1899, and the water cure was given in August, 1900.

Q. Then, your entire service in the Philippines was how long?—

A. About seventeen months, I think.

Q. During that time where were you most of the time?—A. At Lon.

Q. Is that in Panay?—A. Yes, sir.

Q. While General Hughes was in command there?—A. Yes, sir.

Q. Now, aside from the application of the water cure to these men under the circumstances you have told of, what was the general conduct of American officers and soldiers toward the people, as to kindness or otherwise?

Senator PATTERSON. He has said that where they were friendly it was good.

Q. (Continuing.) Where they were friendly?—A. I should say they treated them very well.

Q. And you observed during your period of service there prisoners in addition to these thirty that were brought in in these three conflicts?—A. Yes, sir.

Q. And when those prisoners had been captured what was their treatment by American officers and soldiers as to kindness and care, and as to the food they were given and places they were put?—A. They were put in the guardhouse and made to do some little work. They always had plenty of rice to eat, and hard-tack they gave them sometimes, and coffee.

Q. That was substantially the same rations as our own men received, except as to rice, was it not?—A. Yes, sir.

Q. Did they prefer the rice to our kind of food? Is that the usual food of the natives?—A. That is the food they used; yes.

Q. With reference to the identification of these bones, what sized man was this man O'Hearn? Was he a man of your size or my size?—A. Not quite so tall; he weighed about 150 pounds, I should say.

Q. The surgeon examined these remains, you say?—A. Yes, sir.

Q. You may state what his opinion was, first, as to whether it was the skeleton of an American.—A. He was very positive that it was the bones of Private O'Hearn.

Q. Our men are very much larger in physique than the Filipinos?—A. Yes.

Q. So it could not have been the skeleton of a Filipino. What were your general orders from officers and General Hughes as to care and consideration for peaceable natives?

Senator RAWLINS. I object to that, upon the ground that the written orders, if they are obtainable, are the best evidence.

By Senator BEVERIDGE:

Q. What is your understanding, Mr. Hallock, as to what your officers and the commanding general, General Hughes, expected of soldiers in their treatment and intercourse with the friendly natives?—A. To use them well.

Q. And you followed those orders?—A. I did; yes, sir.

Q. And of course your comrades the same?—A. Yes, sir.

Senator PATTERSON. What year were those fights in your speak of—in 1900 or 1901?

A. (Referring to a memorandum.) One was November 21, 1899, and one November 27, 1899; and then there was an expedition from December 30, 1899, to January 9, 1900.

By Senator BURROWS:

Q. I am not clear in my own mind about one thing. You said there were 12 of these men placed in the guardhouse after the water cure had been administered to them?—A. Yes, sir.

Q. Do you know of your own knowledge—not from hearsay, but from your own knowledge—what became of them?—A. I saw four of them after they had been shot by the sentries while trying to escape.

Q. You saw four bodies out of the 12 after they had been shot?—A. Yes, sir.

Q. They were shot while attempting to escape?—A. Yes, sir.

Q. What do you know about the others, of your own knowledge?—A. I did not see the other men.

Q. There were eight others?—A. Some of them escaped, and I think there was one more shot.

Q. Of the eight some of them escaped, and you think one more was shot: did you see the shooting?—A. No, sir.

Q. Then, what makes you think one man was shot aside from the four: did you so understand it?—A. I saw them when they were taken down to the river and heard the reports, and they came back and the sentries said they shot this man.

Q. Why did they shoot him?—A. He attempted to escape.

Q. So the five, while attempting to escape, while under guard, were shot?—A. Yes, sir.

Q. And you saw the bodies of four?—A. Yes, sir.

Q. What became of the other seven; were they released?—A. I think the rest of them got away with the exception of one, and I think he was released.

Q. One released and the balance escaped?—A. Yes, sir.

Senator DUBOIS. One released and five shot and six escaped?

Senator BURROWS. Yes; that is as he states it.

By Senator RAWLINS:

Q. As I understand it, all the prisoners in that jail—you said that there were as high as 20 there?—A. Yes, sir.

Q. They all escaped or were shot except one?—A. No; I mean the 12 prisoners that were connected with the killing of O'Hearn. There were other prisoners taken to Iloilo to be tried, and some of them were investigated and let go.

Senator PATTERSON. And 5 of the 12 were shot while they were attempting to escape from custody?

The WITNESS. Yes, sir.

Senator BURROWS. And the balance were released, except possibly one?

Senator RAWLINS. No; he said they all attempted to escape and five were shot, and all the others except one did escape, and that one was subsequently released.

Senator BURROWS. Yes.

The CHAIRMAN. That is accounting for the 12 men connected with O'Hearn's death.

Senator DIETRICH. There never was any doubt in the minds of the American soldiers there but what those 12 men did burn and mutilate the body of O'Hearn, was there?

The WITNESS. No, sir.

Senator PATTERSON. I object to that.

Senator DIETRICH. He says there was not any doubt in their minds.

The CHAIRMAN. Does anybody desire to ask the witness any further questions?

(Witness excused.)

(Thereupon, at 11.55 o'clock, the committee went into executive session, at the conclusion of which it adjourned until May 5, 1902.)

MONDAY, *May 5, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman, and Senators Allison, Burrows, Dietrich, Rawlins, Carmack, Dubois, and Patterson.

The CHAIRMAN. I have just received this letter from the Secretary of War:

WAR DEPARTMENT,
Washington, May 3, 1902.

HON. H. C. LODGE,

Chairman Committee on the Philippines, United States Senate.

SIR: Referring to your letter of the 10th ultimo, in which you ask that there be secured for the Senate Committee on the Philippines a copy of the diary of Simeon A. Villa, chief of staff of Aguinaldo, which was captured some time ago by our troops, I have the honor to inclose herewith a translation of the diary of Dr. Simeon A. Villa, an officer of the staff of Emilio Aguinaldo, covering the period from November 13, 1899, to March 22, 1901, being an account of the flight of Emilio Aguinaldo and his personal following from the time they left Bayambang, Pangasinan Province, until the capture at Palanan, Isabela Province.

Very respectfully,

ELIHU ROOT,
Secretary of War.

THE FLIGHT AND WANDERINGS OF EMILIO AGUINALDO, FROM HIS ABANDONMENT OF BAYAMBANG UNTIL HIS CAPTURE IN PALANAN.

A DIARY BY SIMEON A. VILLA, A MEMBER OF HIS STAFF.

[Translation by Lieut. J. C. Hixson, Thirty-second Infantry, United States Volunteers, assistant to the officer in charge, Division of Military Information, Manila, P. I.]

The following diary is the work of Simeon A. Villa, who, as medical officer on Emilio Aguinaldo's staff, accompanied him on his flight and finally became his chief of staff. Along with other papers it fell into the hands of the American authorities when Aguinaldo was captured at Palanan, P. I., on March 23, 1901. The diary seems to be a semi-official record, kept by Villa with the knowledge and consent of Aguinaldo, if, indeed, not under his special direction.

The accompanying map showing the itinerary has been compiled by Capt. Ralph H. Van Deman, Twenty-first United States Infantry, in charge of the geographical section, Division of Military Information, Adjutant-General's Office, Division of the Philippines, from data contained in the diary itself and insurgent sketches found with it, and from maps issued by the chief engineer's office, Division of the Philippines.

JOHN R. M. TAYLOR,
Captain, Fourteenth Infantry,
In Charge of the Division of Military Information.

NOVEMBER, 1899.

November 13.—We left Bayambang by night in a special train for Calasiao, and here we disembarked. The honorable president was accompanied by the secretaries of the interior, treasury, and foreign affairs, and by General Concepcion and aids; Colonel Leyba, Lieutenant-Colonels Topasio and Quesada; Majors Tirona and Jeciel, and Colonel Sytiar, of the staff; the governor of Pangasinan, Barcelona, Villa, and others; the Cavite battalion and one company of artillery. The honorable president's wife, his sister and mother, the sisters and mother of Señor Leyba, and the wife of Colonel Sytiar were also with the party.

It was 12 o'clock at night, and we were all assembled in the plaza of the church at Calasiao. At about 1 o'clock a. m. we resumed the march for Santa Barbara. The mud was terrible, reaching up to the knees. We made a forced march and succeeded in reaching this town at 8 o'clock a. m. and continued the journey. In this town our forces were joined by the "Mixed" battalion under command of Lieutenant-Colonel Joven, and by General Pilar's brigade, commanded by the general himself. So our column was now composed of more than 1,200 armed men. We continued our journey toward the extensive forest of Manaoag, and reached it at dawn. After everybody had breakfasted the honorable president ordered that our forces be divided into two columns, one to serve as a vanguard under the command of General Pilar himself, and the other to form the rear guard commanded by Colonel Montenegro.

The honorable president, his wife and sister, the two sisters of Señor Leyba, Colonel Sytiar and wife, General Concepcion and adjutant, Majors Tirona and Jeciel, the governor of Pangasinan, Barcelona, and Villa all accompanied the vanguard. Some 250 troops composed the vanguard.

With the rear guard were the honorable president's mother and son, Colonel Leyba and mother, and Lieutenant-Colonel Joven and his battalion.

November 14.—It was 12 o'clock noon, but we kept up the march. At 4 p. m., with our vanguard, we entered the Manaoag, a town already occupied by the Americans. We passed through it without seeing any Americans at all and marched on toward Pozorubio, arriving in this town at 6 p. m.

Our rear guard was very far behind us and we knew nothing about its movements. We were chewing sugar cane all day. At night we took supper in Pozorubio without incident. General Tinio came up to pay his respects to the honorable president and spent the night with us.

November 15.—At daylight it was raining. At 9 a. m. we received the news that the Americans were at the entrance to the town, and, as we only had a small force, our rear guard not having yet arrived, we at once took up the march for Alava, where there are some of General Tinio's forces. We arrived in that town at about 12 o'clock in the day and kept up the march toward Rosario, the next town, passing through woods.

The president's wife had a fainting spell or swimming of the head. We halted. She was soon all right. We arranged a bamboo cot for her. Then all at once appeared General Tinio with his few troops,

announcing to us that the Americans were pursuing us. We at once took up the march. The rain was heavy and we were drenched. At 3 o'clock p. m. we reached Rosario. We passed on, commencing for the first time to ascend the mountains of the Famy settlement or ranch. The rain was incessant and there was a great deal of mud. The hard wind and the cold made us shiver. We continued the ascent of the mountain, and, as we had already reached an elevation of 500 meters, it seemed that we were at a great altitude and pretty close to the sky.

But 5 o'clock in the morning arrived, and still we had not reached the summit. We kept up the march in the midst of a pouring rain, and just about 8 p. m. we arrived at the Famy settlement, located on the peak of the mountain. We were all wet and had no clothes for making a change, as the rear guard soldiers had our luggage with them.

Being half dead from the effects of the rain, wind, and cold, and wishing to avoid bad results, we had to immediately enter the houses that were here, and without delay we kindled fires in the "calans," or native stoves, of the houses. We at once drew near the fires so the warmth might relieve us, and at the same time we took off our clothes in order to dry them.

As soon as we were somewhat restored by the warmth we ate; that is, each of us ate a little, since there was not sufficient to satisfy the cravings of our stomachs. Afterwards we again turned our attention to the "calans," or native stoves, in order to continue drying our clothes, but we only finished this at about 1 o'clock in the morning, and then we went to sleep.

November 16.—Daylight came in the midst of rain. At 7 o'clock we were all awake, and Lieutenant-Colonel Joven, one of the rear guard commanders, presented himself to the honorable president, saying he had arrived last night after we were all asleep. He also reported that the rear guard soldiers disbanded and scattered in the town of Manaoag, on account of being surprised by a large American column while they were passing through that town, and that he had only been able to collect 17 of his men, whom he brought on with him to this place.

At 9 o'clock a. m. we left Famy and shaped our course for Tubao, keeping always in the mountains. After a continuous march, without either breakfast or lunch, except the sugar cane we found along the roadside, we reached this town at 4 o'clock p. m. As we were worn out with fatigue and hunger, and unable to continue our journey, the honorable president arranged for us to spend the night here.

November 17.—After eating a hearty breakfast for fear we might be unable to eat at noon, we left Tubao at 8 a. m. and marched toward Aringay, in Union Province. After a comfortable journey—for some of us were in vehicles and some on horseback—we arrived at that town, where all the leading people turned out to greet us. After the honorable president had urged these to be patriotic, we continued the march toward Cava, and thence directly to Baoang.

We reached the last-named town at 2 o'clock p. m. After resting for one hour, we set out for Naguilian, Union Province, arriving at 6 p. m. Here a band of music, all the leading men of the town, and a great crowd of people turned out to meet us.

We have taken quarters in the convent.

November 18.—We are still in this town.

November 19.—Under instructions of the honorable president, Major Jeciel went out this morning. At 5 p. m. he returned and informed

the honorable president that the Americans had succeeded in taking the town of Santo Tomas, and had even arrived in Aringay. As this latter town is distant only two or three hours from Naguilian, the honorable president arranged for all to start that very night.

So, then, we left the town at midnight, following the road through the mountains to San Fernando, San Juan, and Bagnotan, until we reached the town of Balaoang at 9 o'clock that night, after a continuous and painful journey.

This afternoon the honorable president dispatched Señor Villa to the town of Baoang on business of importance, and hence that Señor could not accompany the honorable president on the journey he has just finished. During the night following this day Villa concluded his mission.

November 20.—Villa, after breakfasting in Baoang with General Tinio, started alone for San Fernando de la Union, traveling the main road, which passes along the coast at a distance of half a kilometer from the sea. He did not see an American vessel that was lying off the shore until it fired several cannon shots at him. The shooting continued, the Americans perhaps believing that Villa was a general or colonel because he was on horseback. For fear he would be wounded he dismounted, left his horse, and got in the midst of the "cogon" patches. ("Cogon," a high weed or grass, J. C. H.) On foot he slowly made his way to San Fernando, where he met General Tinio at 2 o'clock in the afternoon. The two, being utterly worn out through hunger and fatigue, went to sleep. About 3 o'clock they suddenly awoke, startled by the firing of guns inside the town itself. As it kept up, they went out into the streets to see what it was. Great was their astonishment on finding that the American cavalry was passing and firing on the town. Tinio and Villa escaped by running away immediately; but they had the misfortune to be seen by the enemy, who pursued them. They went up into the mountains and hid.

It was 4 o'clock in the afternoon. They continued the march to San Juan, arriving there at 6 p. m. The soles of Villa's feet were bleeding on account of his being without shoes. Villa left General Tinio at San Juan, and, without stopping, marched on to Bagnotan. On arriving there he ate supper, and then continued his journey on to Namagpacan, which he reached at 3 o'clock in the morning.

November 21.—At 7 a. m. Villa set out for Namagpacan; and at the same time the honorable president and his party left Balaoang. The destination of all was Bangar, where they simultaneously arrived at 8 o'clock. They continued the journey until arrival in Tagudin at 11 o'clock, where we had lunch, and then immediately set out toward the towns of Sevilla, Santa Cruz, Santa Lucia, and Candon. We arrived in the last-mentioned town at 8 p. m. We had supper and spent the night here without incident.

November 22.—At 8 a. m. we renewed our march toward Salcedo, reaching the same at 11 a. m. We spent the noontide here. Afterwards we journeyed on toward Concepcion, arriving in this town at 3 p. m. We passed the night here without incident.

November 23.—At 7 a. m. we continued our journey. At this stage we began to gain high elevations, now rising and then descending among the mountains. We never halted on our march; and after passing over Mount Tila, which is 1,300 meters high, we arrived in Angaqui at 2 p. m. We stopped at this settlement for seven days.

November 30.—We left Angaqui for Cervantes at 10 a. m., passing over the mountains, bare of all vegetation, with the result that the heat of the sun made our heads ache. At 1 o'clock p. m. we arrived at Cervantes. As this town offered good conditions for defense, an abundance of food, and a beautiful view, the honorable president decided to stay there for a long time and defend himself. To that end, then, the detachments were placed so as to cover the points where the enemy might try to enter; trenches were constructed and offices for headquarters were arranged.

We are having a pleasant time in the town.

DECEMBER.

December 1.—At 6 o'clock this morning General Pilar requested the honorable president to let him visit the trenches located on Mount Tila. The general immediately mounted his horse and started for the mountain, 1,300 meters high. At 10 o'clock that night he sent the honorable president a report, informing him that from Mount Tila he saw the enemy as they were entering Concepcion.

December 2.—At 5 o'clock in the afternoon the honorable president received a verbal report from two officers coming from Mount Tila, to the effect that the Americans had taken all our trenches in Tila; that General Pilar had been killed by being shot through the head; that other soldiers had also been killed; and they, the officers, were sure the Americans must be in Angaqui at this very hour. According to the statement of the officers, General Pilar died at 10 o'clock a. m.

At 8 p. m. the honorable president, his retinue, and the remaining troops marched out of Cervantes and started for the Cayan settlement, reaching there at 12 o'clock midnight, and immediately going on toward Tadian. At this last-mentioned place we took a direction toward Bagnen.

At every step we found the mountains getting higher and the cold more chilling. It was 3 o'clock in the morning. A strong wind was blowing. The cold becoming more and more intense was penetrating almost to our bones. Our skins had become dead to feeling and our lips drawn and purple from cold. We traveled on over the precipices, which each moment seemed to get deeper because we were getting higher and higher. The first rays of the sun shone dimly in the east and night bade us farewell; but the intensity of the cold was the same.

We never halted in our journey. At 6 o'clock in the morning we could make out the settlement of Bagnen, and one hour later we arrived there.

December 3.—Immediately, and without even breakfasting, we resumed the march, following along the continuation of the mountains. At 11 a. m. we reached the settlement of Sagada, where we ate some "camotes," or native potatoes. At 12.30 we set out toward Bontoc, and arrived there at 5 o'clock in the afternoon.

December 4.—We find ourselves in Bontoc without incident. We have tarried here for two days.

December 5.—At 2 o'clock in the afternoon we left Bontoc and headed for Talubin, which we reached at 5.30 in the afternoon. We tarried two days.

December 6.—We left this settlement at 10 o'clock p. m. and took up the march to Banane via Ambayuan. We reached Ambayuan at mid-

night, and we at once started for Mount Polis, which is 2,700 meters high.

December 7.—After commencing the ascent of Mount Polis we never stopped for rest, and we reached the summit of that lofty mountain at 8 o'clock in the morning. As we commenced to descend we discovered a spring of crystalline water, and here we halted and ate some cooked rice with salt. After eating we at once resumed our journey. It was 2 o'clock in the afternoon. We ascended and descended among these mountains which, it seems are without end. But we had a little satisfaction on the march over the fact that night would overtake us. At 5 p. m. we could see the Banane settlement in the distance, and we arrived there at 8 o'clock at night.

We stopped in this settlement until the 21st of the month. We have seen the "Kanao," or head-dance.

DESCRIPTION OF KANAO.

The "Kanao" is a feast which the Igorrotes celebrate in each ranch or settlement, when one or any number of them secure the head of an enemy by means of battle or by treachery.

The extensive mountains of northern Luzon are inhabited by a great number of savages, amounting to over 60,000, according to geography. These live in barrios or ranches considerable separated from one another. They exist on "camotes," or native potatoes, and anything. At times and on extraordinary occasions they have rice to eat. They are a people who go naked, and all of them, men and women alike, wear in their ears huge ornaments, which may be either made of copper wires and teeth, etc. Their bodies are adorned with black points, or painted with divers figures. On their necks they always wear collars of copper wire or cords with pieces of broken plates and other such stuff attached. They only cut their hair in front, letting it grow to a length of about 1½ feet. For greasing their hair they use the fresh fat of the hog.

They live in settlements, each one of which may contain as high as 1,000 Igorrotes. Two settlements can never be on good terms; and there is always enmity between all of them. The inhabitants of one settlement can not visit those of another; they would be killed at once.

Each Igorrote always goes armed with a spear. The Igorrotes have a deep hatred for Christians, but can not fight them face to face; hence are very treacherous.

The "Kanao" is celebrated when they have taken the head of an enemy, the ceremony being as follows:

They cut the head from the dead body and likewise the hands and feet. The head is carried to the house of the chief of the settlement and then is attached to a pole some 12 feet in length and placed inside the house. All the Igorrotes of the ranch, wearing on their heads the white feathers of a rooster, assemble at the house in which the head has been placed. Each Igorrote carries in his hand a spear and a short stick resembling a bandmaster's wand. Before going to the feast for the feast they assemble in groups of 40 or 50; and as they take up the march they form a line in single file, and all dance as they go along, striking and beating the wands against the lances.

The dance consists in this: Keeping time to the march, they carry one leg to the front, executing movements, contraction and extension, the other leg meantime supporting the weight of the body in the act of

leaping. The body forms an outward curve. The arms support the lance and the wand, with which they execute movements to the sound of the dance. Several Igorrotes executing this dance and wearing plumage on their heads present a confusing scene to the vision at first glance.

Once arrived at the house of the festivities the Igorrotes all dance around the amputated head. They use the hands and feet of the corpse for scrubbing their faces.

This ceremony lasts for six day, and so it happens that the hands and feet enter a state of putrefaction. At the end of six days the hands, feet, and head are buried. The corpse itself is buried after the end of the third day, all the Igorrotes of the settlement taking part in the ceremony.

At the termination of the celebration the hands, feet, and head are buried near the house. After the lapse of sufficient time to allow the soft and fleshy parts to rot away they dig up the skull and the skeletons of the hands and feet, using them as valuable ornaments for the house.

In this ranch there is an abundance of "camotes," or native potatoes; but there is a great scarcity of rice, and hence our meals have been reduced to two a day, the first at 9 a. m., consisting of "camotes," and the second at 3 p. m., consisting of water-cooked rice and other foods. We only allow half a "chupa," or about a fourth of a pint, of rice for a ration, the result being that we never get enough to eat, and when we can not get other foods on account of their great scarcity, we supply the deficiency with "talbos," or shoots of the "camote," or native potatoes, and with unhulled rice cooked in water and salt. The second meal sometimes consists of "camotes" when there is no rice, so that we have nothing but "camotes" during the entire day.

On a moonlight night, the honorable president, Sytiar, Jeciel, B. and V., the two Layba sisters, and the honorable president's sister were discussing the matter; and once the independence of the country is declared we will take a trip to Europe, with an allowance of a million dollars to pay our expenses.

December 16.—At 6 p. m. the honorable president named the following as members of a council to take place this night, viz: Colonel Sytiar, Señor Barcelona, director of the health department; Villa, subinspector of the staff; Paez, second chief of staff; Majors Jeciel and Gatmaitan, and Capt. Juan H. del Pilar. After these had assembled at a meeting presided over by the honorable president, in a thicket not far from our camp, the honorable president explained a very critical state of things, viz, that the Americans had taken Bayambang, and hence we could not go farther forward; that there were Americans behind us; that they were pursuing us and had already arrived at the Sagada settlement; that our situation here in Banane is very dangerous, because not only are enemies the Americans who are in front of us and behind us, but the very Igorrotes who surround us, including those of Banane, are also our enemies only waiting for the opportunity to cut off our heads, just as happened to Captain Villareal's soldiers, who, sent on in advance to the settlements, were attacked by the Igorrotes of Pagayapaig, and as a result we had to lament the loss of three guns captured by the Igorrotes, besides three soldiers and a woman wounded.

Having explained all these things, the honorable president then

asked Captain Pilar what opinion he had to express. The latter replied that he had no opinion to express, but that he agreed with the honorable president's declarations, but Colonel Sytiar answered this, saying that Captain Pilar's answer was not to the point, as we are all under the honorable president's orders and ready; what was desired was that the captain should freely express his own personal opinion. On hearing this Captain Pilar replied in the very same phrases he had first used. Therefore, seeing that he could draw out nothing that would throw light on the question under discussion, the honorable president asked Major Gatmaitan for an expression of his opinion. This gentleman replied that as for him he would wait for either the Americans or the Igorrotes who might come and attack us in this settlement; and that he, in conjunction with our soldiers, would maintain the defense until death. The honorable president seeing that this opinion was not conducive to the desired end, then said it was Señor Villa's turn to express any opinion which might be deemed expedient. This gentleman replied that, considering the remarks and observation of the honorable president, together with the motives for the meeting, he was of the opinion, first, that we should separate from the women, who constitute such a great impediment or obstacle to any plan we might form; and as to that, if the honorable president would not consider it in a bad light, he could send these women to Manila, accompanied by two trustworthy officers selected by himself. And, in the second place, if the Americans who are behind us and in front of us wish to advance toward us, they could do so very easily with the cooperation of the Igorrotes of these ranches—in which case the person of the honorable president would be endangered. In view, then, of these considerations, he believed that we should march away from this ranch as soon as possible, and either set out for Abra Province or else join forces with General Tinio; so that the honorable president having arranged in this manner for an available force of 2,000 men, nobody could poke fun at us, but we, on the contrary, would have to be reckoned with and respected.

Just after the expression of Señor Villa's opinion, the honorable president told Major Jeciel that he might say what he considered the best thing to do. This gentleman said that for his part he would recall from the town of Cervantes the 37 soldiers under command of Lieutenant-Colonel Joven, and incorporate that detachment with our forces here, so we could defend ourselves in case of an attack by the enemy coming here. After hearing this opinion the honorable president called on Señors Paez, Barcelona, and Sytiar to express themselves. All these replied that they agreed with the opinion expressed by Señor Villa.

After hearing the opinions of those who formed the meeting, the honorable president stated that as many had voted for the plans of Señor Villa, believing them to be the most efficacious, he himself had the same belief. In this way the meeting was brought to a close at 9 o'clock at night; and before the members retired to their houses the honorable president charged them all to keep secret the proceedings.

December 19.—Speaking of our life on this ranch—all get up at 6 o'clock in the morning, and afterwards breakfast is prepared. Breakfast takes from 9 to 10 o'clock, after which the time is devoted to a conversation, groups of 8 to 10 individuals being formed. At 3 o'clock they go away and prepare dinner. When it is cooked we wait

until 5 o'clock in the afternoon to dine. After dinner there is a conversation again until 8 o'clock, when we go to rest.

"The banane breakfast"—such has been termed the breakfast eaten every morning during the stay of the honorable president and his family at this settlement. It is of a flavor agreeable to the palate, light and very digestible, cheap and easily prepared. This breakfast has been preferred by all those who have tried it, and also by the honorable president everywhere he has gone in these mountains, and it consists of the following: Coffee with milk; fried "camotes," 5 to 7 millimeters in diameter; butter. It was named by the honorable president.

December 21.—Yesterday afternoon about 5 o'clock news came through an Igorrote that many armed forces had arrived in Babuyan. He could not say for certain whether the forces are ours or those of the enemy, since he is not yet accustomed to distinguish them, but he says their faces are similar to ours. Two Igorrote spies were immediately dispatched to said point, to reconnoiter (and determine) if the forces are our own or those of the enemy. Our said spies returned the following day, the 21st, at about 8 a. m., reporting that there was no such a force. Immediately on receipt of the information that there were forces in Babuyan, all our troops got ready for the march to Ambayuan, with the ladies who are accompanying us. But the ladies will go forward with Captain Villareal's soldiers, who will serve them as a guard. Col. Manuel Sytiar, of the staff, has gone along with them. Afterwards the remaining forces will march with the honorable president. The departure of the women, including the P. [must have intended "M.," mother—J. C. H.] and the sister of the honorable president, took place at 7.20 this morning; and they had scarcely gone a distance of 2 kilometers when our spies arrived [from Babuyan—J. C. H.]. On being informed that there was no such force in Babuyan, the honorable president changed his idea about taking up the march and told Barcelona and Villa that as the day was already well advanced, and hence night would overtake us on Mount Polis, he for his part preferred to start on the following day.

The sun is beclouded; it is a sad day to us. The fresh breeze gently moves the trees. The separation from the women—from those beings who give us life and courage—or, better said, our solitude in this mountain, throughout every part of which is seen only the abyss of death—sorely afflicts us.

That atmosphere of grief compelled Barcelona and Villa to express their opinion to the honorable president to the effect that having decided to march it would be best to do so, as it was very probable that we would have to spend the night in Ambayuan anyway. In view of these statements the honorable president agreed that we should continue the journey. So in fact we started from Banane at 10.45 a. m. We commenced to ascend that lofty Mount Polis, which is 2,700 meters high. Continuing our march without cessation, at 5 o'clock in the evening we passed a beautiful spring, and there we ate a little to refresh ourselves. But we had not yet covered half the ascent.

After dinner, which never required fifteen minutes, we resumed the march.

Night is coming upon us; our vision grows dim, our legs and knees are already weak and tremulous, our breathing laborious, and the thirst is intense. The clinging mud increases our troubles. The night is

very dark. The leafy mountain trees shut out the starlight of the heavens. We no longer see one another. Along that narrow path—18 inches wide—which we travel lie the deep precipices of death; and looking down into their depths suffices to make one have a feeling of faintness and swimming in the head, or to imagine himself on the edge of death. Each one of us uses as a guide the trunk [sic] of a tree, probing into the darkness with the point of it for the location of an abyss.

It is 9 o'clock at night. We are perhaps at an elevation of some 2,300 meters. Ascents are still awaiting us; hunger! thirst!—we are sick and faint. Corporeal fatigue prostrates us; darkness terrifies us; yet we continue our journey, almost crawling. We reach the summit at 10 o'clock at night. Here we see the firmament, since the top of the mountain is not covered with trees.

Our breathing is more easy. We stop on the summit to rest a little. We are exhausted; we lie down on the ground without a "petate." [Native bedcovering of woven bamboo.—J. C. H.]. The intense cold makes our teeth chatter. Soon a profound slumber and great exhaustion has robbed us of intelligence.

At 2 o'clock in the morning the honorable president awoke and ordered that we should continue the march. We all awoke with our clothes wet with dew.

The march is not painful now, because we are descending this lofty mountain, which is 2,700 meters high. We pay no attention to the hunger and thirst; it is only the cold that troubles us.

The aurora of the day scatters her first rays upon the universe; and the small amount of light gives us courage. Our march is more rapid in proportion as the daylight appears; we are also nearing the foot of the mountain. We continue the descent.

December 22.—It was 7 a. m. when we arrived in Ambayuan. Here we found the women worn out from the painful journey they had suffered. They were seated on the ground. In their faces were observed indications of the ravages of hunger; but they are always smiling, saying they would prefer suffering in these mountains to being under the dominion of the Americans, and that such sacrifices are the duties of every patriot who loves his country.

We secured some "canotes" in this settlement, cooked them immediately, and everybody had breakfast. Our appetites were satisfied.

The honorable president had already decided some days before to send all the women to Manila, including his family, and this was his motive in hurrying his family forward with him.

At 9 a. m. we left this settlement, going toward Talubin, and leaving in Ambayuan all the troops that were accompanying us. These followed with the women under the same escort as when we left Banane, viz. Captain Villareal and his soldiers, Colonel Sytiar and the two Leyla sisters, the honorable president's wife and his sister, the honorable president himself, Barcelona, Villa, Paez, and Jeciel. We arrived in Talubin at 1 o'clock in the afternoon and dined at the house of a Christian named Valenciano.

We have remained in this ranch until the 24th without incident.

December 24.—We find ourselves still in Talubin. About 8 o'clock this morning a report came saying the Americans had arrived at Bonabe, the provincial capital, the nearest town to Talubin, and distant from it two hours by the road. An immediate decision was made.

The honorable president told his family and the other women that they should remain in the settlement and allow themselves to be caught by the Americans, and he named Señors Sytiar and Paez to remain also, with the obligation of conducting the women to Manila. As soon as the arrangement was effected, the honorable president prepared himself for the march. The parting was a very sad one for himself and for his family.

The honorable president left Talubin at 11 o'clock in the morning, his family and the other women remaining behind with the two gentlemen charged with conducting them to Manila.

When the honorable president reached the river half way between Talubin and Ambayuan, he stopped there and remained pensive on the bank. But afterwards he called for B. and V., and expressed his opinion concerning the presentation of his family to the enemy: he thought he might greatly influence the imperial policy of the United States. These two doctors, B. and V., then explained that they agreed with him on this point, but that they had not mentioned the fact before, as they did not desire to oppose his ideas. Immediately the honorable president charged V. to go to Talubin at once and get his family, and he wrote a letter to Señor Sytiar, in which he said he had quite decided on carrying his family into the mountains, because of the fact that their presentation to the enemy would greatly influence the imperial policy.

Señor V. at once went away to Talubin, and when he arrived there he delivered the letter to Señor Sytiar, saying that those who wished to do so could remain, except the family of the honorable president, and that his (V.'s) only object in coming there was to get the family. Señor Sytiar answered that he himself had dispatched a letter to the Americans at Bontoc, informing them that the honorable president's family would present themselves to the Americans, and that therefore he (Señor Sytiar) would be compromised as soon as the Americans arrived, because they would look to him to produce the family of the honorable president, referred to in the letter. Señor V. replied that the letter sent to the Americans in no wise concerned him, as he had only come there for the sole purpose of getting the family of the honorable president. Under these circumstances, then, the family of the honorable president and the two Leyba sisters at once marched away with Señor V. for Ambayuan to rejoin the honorable president's party. And Señors Sytiar and Paez, fearing the Americans would "fix" (sic) them on account of the deception practiced, followed in rear of the honorable president's family until they once more reached their old companions on the mountain.

We are all united in Ambayuan at this moment. It is 3 o'clock in the afternoon. The honorable president is meditating over the route we should take. There are enemies in front and behind. The honorable president expressed his opinion to Señors B. and V. and the three agreed that we should set out for Barlig.

Night came on. We could not make the trip because we suspected that there were enemies in Barlig, since there is a road from that point to Talubin. At 9 o'clock at night a letter came from Colonel Sytiar from the commanding officer of the American forces saying that they had already arrived in Talubin and were expecting there the family of the honorable president.

As we did not know which way to go, by reason of the nearness of the enemy, and because the women constituted a great impediment

on this kind of a journey, the honorable president, in view of the critical situation, again ordered that his family should retire accompanied by the gentlemen before designated as their escort.

It is 2 o'clock in the morning. We have spent the night awake and on watch. The women are ready to march.

The watch indicated 2.30 o'clock, and the women marched off to Talubin to present themselves to the enemy. What a most wonderful parting. The honorable president and ourselves remained on the mountain of Ambayuan. The honorable president, having bade adieu to the women who constitute such a great burden on this kind of a trip, and not being able to go by a different route to the Barlig settlement as he had thought of doing, now declined to return to Banane. Therefore, at 3.30 a. m., we resumed the march, passing over the mountains we had traversed on the night of the 21st of the same month.

December 25.—At daybreak we found ourselves at the foot of Mount Polis. We continued the ascent, although under painful difficulties, as our bodies were already weakened by loss of sleep and continuous marching. Through constancy and patience we at last reached the summit at 11 o'clock in the morning. Without halting we commenced the descent of the mountain. We arrived at Banane at 3 o'clock in the afternoon, and at once cooked some food and ate it.

After eating, the honorable president and Señors B. and V. discussed among themselves what direction we should take. As we were unable to determine which route would be the best—as the enemy were in front of us and behind us—the honorable president said that the only remedy left was for all to make up our minds for death; that we should continue marching forward; that if we encountered the Americans we should resist them and undertake to break their columns, even though it might cost many lives, since in this manner we might pass their lines and go to the mountains of the north; whereas, on the contrary, if we did not resist they might capture us alive. Seeing the reasonableness of the honorable president's idea, and being convinced it was the only way to save ourselves B. and V. concurred in it, and agreed to continue the journey at early dawn to-morrow, even though we might meet the enemy.

This afternoon, at 5 o'clock, we learned that the Americans behind us had arrived at Ambayuan, the place from which we had just come. At 10 o'clock at night our sentinels reported to us that they saw many lights in the mountains in the direction towards Ambayuan. "Can it be the Americans?" was the first suspicion we had, for Ambayuan is very close to this place, Banane. So we all got up and went to look, but the lights were very far away. We expected them to come closer, but 11 o'clock and 12 o'clock at night passed without their approaching.

Exhausted by fatigue and loss of sleep, we again lay down, wearing our equipments, that is, our shoes and revolvers; likewise the soldiers lay with their guns and cartridges ready.

December 26.—The soldiers had breakfast at 7 a. m. At 8 o'clock the honorable president ordered the companies formed, and he explained to all that the only remedy left was for all to be resolute and face death; that on the morning we should have to continue the journey to the front; that it was very probable that we would encounter the Americans; that we should resist them, even though they might kill us all; that we should endeavor to break their columns so as to pass out toward the mountains in the north. Afterwards he said:

“Do you swear not to abandon me?” The soldiers cried out that they preferred death rather than to abandon him into the hands of the enemy.

After those speeches—which were made at 8 a. m.—we set out on the march for Babuyan settlement. We ascended and descended mountains; and after a continuous march we reached the settlement at 12 o'clock sharp.

About 4 o'clock in the afternoon an Igorrote from Banane brought a report informing the honorable president that the Americans had reached that settlement in their search for and pursuit of Gen. E. Aguinaldo. We passed the night very badly, since the Americans to the number of 300 were on our trail while our forces scarcely amounted to 100. We therefore kept awake and on the alert almost all night.

Speaking of the forces accompanying the honorable president since the day the women and some of our men left to go to Manila, the honorable president had available the following forces:

Aides of the honorable president.—Maj. Raymundo C. Jeciel, First Lieut. Telesforo Carasco.

Chief of health department.—Dr. Santiago Barcelona.

Subinspector of military hospitals.—Dr. Simeon A. Villa.

Commanding officer of the troops.—Major Geronimo Gatnaitan.

First Company of First Bulacan Battalion.—First Lieut. Teodoro Dayao, Second Lieut. Vicente Morales, and 49 soldiers.

Second Company of First Bulacan Battalion.—First Lieut. Santiago Catindig, and 27 soldiers.

Sixth Company of First Bulacan Battalion.—Capt. Juan H. del Pilar, Second Lieut. Lucio Valentin, and 18 soldiers.

Fifth Company of First Ilocos Sur Battalion.—Capt. Idlefonso Villareal, First Lieut. Alberto Bautista, Second Lieut. Sulfurio Luna, Second Lieut. Leoncio Alejandrino, and 33 soldiers.

Bureau of military supplies.—Second Lieut. Braulio de la Cruz, Second Lieut. Anselmo Subido (attached).

Total.—One field officer, 11 line officers, and 107 men. These, then, constitute the only forces accompanying the honorable president.

December 27.—At 2 o'clock in the morning the soldiers had something to eat, and at 4.30 we resumed the journey toward the mountains of the north. After a continuous march, with a great deal of descending and ascending among mountains, we reached Nagan settlement at 2 in the afternoon. We never rested here a moment, but kept up the march toward another ranch, Ayangan, meantime passing through mountainous regions higher and higher every minute.

It seems that our strength is becoming exhausted, due, perhaps, to hunger, thirst, and fatigue. It is already 4 o'clock in the afternoon, and the guides tell us that Ayangan is still very far off. We keep on marching. The day is fading away; copious perspiration covers us from head to foot; we have not yet eaten anything; night falls upon us, and we find ourselves in the midst of several very high mountains, unable to see a thing on account of the intense darkness. Suddenly, the soldiers that are in advance announce to the honorable president that it is impossible to continue marching, as the trail they are on is too narrow, and they are in danger of falling into the precipices. It is 8 o'clock at night.

In view of the situation the honorable president ordered a rest here. All the soldiers at once sought water for drinking purposes, and in order to cook their rice—each one carried a little rice—but unfortunately none was found; thus, it happened that in spite of our having eaten nothing all day, and of not being able to eat on this night, we

had to make the best of our fortune, or misfortune. We tightened our belts, and, half dead, we went to bed on the ground, among rocks and trees, which for the time were our bedding. Toward 2 o'clock in the morning, the honorable president, being under the necessity of urinating, awoke and got up. What a surprise he had on seeing an Igorrote, armed with a spear, standing at our feet, and ready to "do us up" (sic). On seeing that one of us, the honorable president, was awake, the Igorrote ran away and let himself fall into the mountain precipices. We had saved ourselves from one misfortune.

It had commenced to rain gently at about 11 o'clock that night; hence we were all wet throughout the entire night, and the cold, too, was killing us.

During the night the Igorrotes succeeded in stealing one of our guns.

December 28.—We are up at 5 a. m. The rain continues. Our strength seems to be completely exhausted. At 6 o'clock the honorable president ordered us on the march. So we begin the journey, though we slept in the water last night, had nothing to eat all day yesterday, and without even having any breakfast now. We are wet.

The rain stopped at 8 o'clock, and the sun is coming out, lessening our suffering from the cold. We have found a large "camote" patch, and we are all making a breakfast on raw "camotes."

The path we have been traveling is so very narrow that we had to repair it at some points. One of the honorable president's horses fell into a precipice and died. Finding no food in these regions to appease our hunger, we laid hands on the horse and utilized him for our luncheon. Afterwards we continued the journey until suddenly attacked by Igorrotes. The lances which they were throwing at us came from many points. The Igorrotes were occupying the dense part of the woods. The road along which we were passing was so narrow we could only travel in single file.

It was 5 o'clock in the afternoon, night was coming on, and so the honorable president, wishing to give these people a lesson, ordered 25 soldiers to go back and fire a volley at those who were pursuing us or followed on our trail. And so the 25 soldiers returned and fired several volleys at those Igorrotes. But as these people are much accustomed to the mountains, they ran away and dodged about in the precipices until the pursuing soldiers lost sight of them.

Night came on us, and as we feared that the Igorrotes, under protection of the dense woods, might cause us some losses, the honorable president decided we should seek a secure spot for pitching our camp. Having already found a good place we have halted here to spend the night.

December 29.—At 6 o'clock in the morning we all hunted for "camotes," and made our breakfast with them. We resumed the march at 8 o'clock.

The Igorrotes again attacked us on the road. Our troops replied with their guns; but as our people traveled on, the Igorrotes followed, attacking us with their lances, and yelling lustily as if they wished to terrify us. We came to a river on the side of a high mountain, and while we were passing down the mountains toward said river, suddenly a rain of rocks fell upon us, lasting considerable time.

Fortunately for us, we had no casualties. The Igorrotes who were

throwing the rocks were occupying the top of the mountain, and so we were unable to see them.

This was at 3 o'clock in the afternoon.

We crossed the river and again went on climbing among the mountains until, after a three hours' continuous march, we arrived at the Ayangan settlement. The Igorrotes of this settlement behaved themselves well toward us. That same night they gave us rice and pork; so we were able to have dinner.

We have passed the time pleasantly on this settlement, having tarried here for two days.

December 31.—The troops had breakfast at 5 o'clock in the morning, and at 8 o'clock we set out on the march for the next nearest settlement, Alimit, passing always over the mountains. We arrived at Alimit at 3 o'clock that evening without incident, save the penalties of the journey; that is, hunger, thirst, and heat.

JANUARY, 1900.

January 1.—We left Alimit at 8 o'clock in the morning, going toward Mayaoyao. This day is a memorable one for us. We continue the march through mountains, which are higher than former ones and which present difficult ascents. Heat, hunger, and thirst give us a nauseating sickness. Excessive perspiration is wasting our energies, and our legs and knees are weak and tremulous. The ascents almost form an acute angle. Many of our soldiers faint.

When we arrived at the top of the mountain range which we saw from below, we find that there are other ascents still higher. This fact worries us, because we are already very much exhausted; but we can not stop, since, there being no vegetation on this mountain, the heat of the sun would kill us immediately.

We continue the journey in spite of these difficulties. It is 2 o'clock in the afternoon. The soldiers are crawling along on all fours and weeping. But they are afraid to stay here, and hence, notwithstanding their great suffering, they force themselves along on the march.

At 4 o'clock in the afternoon we are able to make out the settlement to which we are going. We forced the marching, and at 6 o'clock p. m. we arrive at Mayaoyao.

We have succeeded in buying rice and pork in this settlement, and so we have passed a comfortable night. But we have to eat without salt—a thing somewhat difficult for one unaccustomed to it.

We have stayed here in this settlement two days.

January 4.—We left Mayaoyao at 8 o'clock this morning, taking the direction for Buncian, and going always through the mountains. What we suffered on this trip makes it equal in every respect to the trip of yesterday.

We reached Buncian without incident at 5 o'clock in the afternoon. We spent the night in that settlement.

January 5.—We left Buncian, going toward Bayabas, and this latter settlement was reached at 4 o'clock in the afternoon. And what great enthusiasm we felt on seeing from this settlement the extensive plain of the provinces of Nueva Viscaya and Isabela! Joy filled our palpitating hearts.

The honorable president decided that we should continue the trip on the following day, and we rested through the night. Hours seemed

like years to us, as we longed for daylight to come at once, so we might continue the march and reach the first town in Isabela inhabited, not by Igorrotes, but by Christians.

Now, indeed, for us to have finished the lofty and extensive mountains—finished, after three months' of living in the depths of the woods and using the scarce camotes as our food. Now our lives, indeed, are saved from those Igorrotes, who are always armed with spears and arrows, and ready at the least carelessness to rob us of our lives. Hunger, thirst, heat, cold, laborious breathing, nausea and swimming of the head, exhaustion, the dark nights, and the trembling of our legs and knees—all of this is past, and we are through with it for good. Morning came.

January 6.—The honorable president ordered First Lieutenant Carasco and four soldiers to make a reconnoissance to Escaris and see if any enemies were there, in order that we might resume our march after 6 o'clock. These marched away at once. The honorable president and the rest of us remained.

Six o'clock came and we were all impatient.

The watch indicated 12 o'clock. We hunted for Igorrotes to serve us as guides to the town of Escaris. We could find none, because they had all hidden themselves.

Three o'clock arrived. The honorable president ordered all the soldiers to scour the mountains in search of Igorrotes. One was caught and carried to the honorable president. To prevent his escaping, Barcelona tied a rope around the Igorrote's neck, hands, feet, and waist, and then placed a guard over him. We were quite happy. Night came on; we went to rest, and everything passed off without incident.

January 7.—At 8 o'clock in the morning we set out on the march; everybody jubilant. The soldiers sung to their light footsteps.

We ran across many deer and wild caribous in the mountains—animals that indicate life. The honorable president shot two of the former.

Three o'clock arrived, but we paid no attention to the hunger, thirst, and heat. We kept up the march; enthusiasm filled us.

When we had passed over half the road we made out in the distance three men on horseback. We called to them; they approached, and we recognized them as the soldiers who had accompanied Lieutenant Carasco. They brought us an envelope containing a report. We opened the letter, which informed us that there were no enemies in Escaris. We then hurried the marching.

The afternoon wore away and 6 o'clock arrived. The journey was too long; the soldiers were already tired and exhausted, and hunger and thirst was killing us. Night came on. We reached a river, crossed it, and kept up the march, becoming a little more lighthearted on account of the fact that we were already near. At 9.30 p. m. we arrived at the town of Escaris. The night was very dark. The "lieutenant" of the barrio, who is a true patriot, at once prepared a little something to eat for us all. When the rice was cooked we ate it immediately with salt, as we could not wait for the pork, because the hunger was causing us a feeling of nausea. We passed the night without incident.

January 8.—About 10 o'clock in the morning deputations from the several towns within the jurisdiction of Escaris commenced to arrive

to pay their respects to the honorable president, bringing with them rice and other food for us. We passed the time divinely in this town until the 18th instant.

January 18.—About 2 o'clock in the afternoon a report was received from Ilagan to the effect that 400 Americans had left that town for the purpose of attacking us. At any rate, we only had with us some 100 small men, the greater part of whom were sick, and so we had to retire this afternoon, moving across the river into a "camarine," or storehouse, previously constructed four days ago. We passed the time in the camarine without incident.

January 19.—A report was received from Echague informing us that 17 Americans were in that town, with a convoy, en route to Bayombong. On being informed of this the honorable president immediately sent 40 soldiers to Carig, under command of Captain Villareal, to await the Americans at that point. The latter, perhaps having notice of our forces in Carig, did not choose to leave Echague during the entire day.

January 20.—Captain Villareal and his forces remained in Cariz waiting for the Americans.

The forces being well arranged in convenient places, at 4 p. m. the people of the town notified them that two Americans had arrived, accompanied by a Chinaman, and had gone to the house of the telegraph operator. Our forces at once went to the telegraph office and really found the two Americans. These, on seeing our soldiers, at once said "Cosa, tu Insurrecto?" (Jargon for "Who are you, an insurgent?"—J. C. H.) One of our soldiers replied, "Yes; good insurgent; bring your gun." The Americans answered, "America mucho bueno" (Jargon for "America is very good."—J. C. H.), and immediately ran. Our soldiers pursued them and fired some shots, and in a few moments the two soldiers were dead. Our soldiers took possession of their guns and ammunition. Just then Captain Villareal received an order from the honorable president commanding him to return with all his forces. Therefore he at once withdrew, and reached our camp at 11 o'clock that night, carrying with him, besides the Chinese companion of the Americans, five caribous and some 20 horses captured from the American convoy.

This morning we also captured near our camp two spies of the enemy, which we now hold as prisoners.

January 21.—At 8 o'clock this morning the Chinese companion of the Americans at Carig was executed, after a court-martial. At 4 o'clock in the afternoon we were assured that the 400 Americans proceeding from Ilagan had arrived at Echague, a town within the same jurisdiction as Escaris, and distant from it only four hours by road. We all were ready for an attack. The honorable president and his two doctors, B. and V., held a secret conference at 2 o'clock on the afternoon of this day, and for several reasons they agreed that we should leave the valley and take a route toward Abra Province in order to unite ourselves with the forces of General Tinio.

January 22.—We got up at 4 o'clock in the morning and all the soldiers at once had a little to eat; we waited for the enemy. We knew that they were still far away at 4 o'clock on the preceding afternoon. At 11 a. m., this day, the "local presidente" and the telegraph operator of Carig both presented themselves to the honorable presi-

dent to join our forces. They left their town on account of fear over the occurrence of the afternoon of the 20th instant.

January 23 to 29.—Without incident.

January 30.—According to our spies and a letter from a patriot the Americans burned Echague and Carig. It is also reported that according to the enemy's plans they will attack this afternoon or to-morrow.

At 3 o'clock in the afternoon the honorable president and his companions went out on horseback to the top of the mountainous ridge. On reaching there it was apparent that from its heights all the towns of Isabela could be observed, but nobody was seen coming to attack us, and even the field glasses disclosed nothing. About half an hour later our attention was attracted to the fact that our soldiers at the quarters were catching all the horses. A few minutes later we saw a mounted man start from our camp and come rapidly toward us. In truth, he arrived and told the honorable president that, according to Lieutenant Carasco, the latter by the aid of his glasses saw the enemy were already in Escaris, a town half the distance of a kilometer from our camp. The honorable president, astonished at the news, then looked toward the town of Escaris with his glasses, and what a surprise he had on seeing the enemy were then and there deploying as skirmishers to attack our forces. He immediately gave the order for everybody to march away and go to the mountain where he was; hence, as soon as the soldiers were ready, about 5 o'clock in the afternoon, they undertook the march toward that mountain, and as soon as they reached the mountain the honorable president said that as night had already arrived it was probable the enemy would not come to attack us, and therefore it would be best for everybody to first cook something to eat and afterwards to resume the march. We all acted accordingly.

After supper, which was at 8 o'clock, we commenced the march. After five hours of marching the honorable president gave orders that everybody could rest. This was at 2 o'clock in the morning. So we all slept in some woods until 7 in the morning.

January 31.—When the forces were inspected it was seen that the orderlies of both B. and V. had made their escape, that of the first having stolen \$50 and the honorable president's woolen blanket.

We then resumed the march at 7 a. m. About 9 a. m. we found a beautiful spring, and here the honorable president ordered that everybody should cook something for breakfast. The honorable president desired to return to the camp we had left at Escaris, and as he did not know whether the enemy was still there he ordered a courier about 12.30 in the afternoon to go to Escaris to see if they were there. The courier immediately left on horseback.

The day wore away, and we found ourselves at the same spring. Night came, and we rested among the "cogon" patches. At 7.30 p. m. the courier returned and told the honorable president that the Americans had already left Escaris, having divided their forces into two columns. One column took the direction toward Reina Mercedes and the other one returned to Echague. On being informed of this, the honorable president gave orders that we should return to Escaris on the following day.

We passed the night without incident.

The *Kañao* is a very great celebration held by the Igorrotes of a settlement when by means of battle or treachery they wound or take

the head of one or many of their enemies, which enemies may be Christians or the Igorrotes of some other settlement. On securing the head of an enemy they carry it to the house of the most offended or aggrieved Igorrote of the settlement to have the celebration, and in default of any such aggrieved or offended person the head is carried to the house of the chief of the settlement. After first arranging the upper portion of a cut banana stalk in the house where the celebration is to take place the head is put on the upper end of this stalk and held there by means of six little sticks which are tied to the stalk. Afterwards a lighted cigar is placed in the mouth. The participants in the celebration then approach the head successively and suck the dripping blood. When this act of cannibalism is over they place a native hat on the head. All the Igorrotes then march round and round the head, dancing the meanwhile.

[TRANSLATOR'S NOTE.—This additional description of the Kañao, differing somewhat from the first description given in the body of the diary, is written on a separate sheet and inserted in the book without having any connection with the unbroken daily narrative which is continued below.—J. C. H.]

FEBRUARY, 1900.

February 1.—At 6 o'clock in the morning, and without eating breakfast, we started on the march for Escaris. After five hours of marching we again arrived in our Escaris camp at 11 o'clock, nothing important having occurred en route.

We had been informed some days before that many of our forces were in Nueva Viscaya, and this was the motive which lead the honorable president to think of returning to Escaris. At 3 o'clock in the afternoon a courier was dispatched to our Viscaya forces with orders for them to come and join us; likewise orders were given for the capture of the two deserted orderlies.

February 2.—Nothing important.

February 3.—In the afternoon, at about 3 o'clock, we got news that the Americans, who were en route to Bayombong, had retired and concentrated at Carig, because numerous Philippine forces were at San Luis on their way to join us at Escaris.

This news was confirmed at 7 o'clock at night by some persons who came from Carig. These also informed us that the Americans were keeping close watch through every street of that town for fear, perhaps, of a surprise. Our enthusiasm was great, because aid was coming to us, and hence we spent the night in amusements. Moreover, our informants had told us that our forces would arrive the following day without fail.

February 4.—We got up early, expecting the arrival of our forces. At 8 o'clock in the morning the courier returned. As for the news we had received, he told us that there were no such forces of ours, for he had gone as far as the neighborhood of Bayombong without having seen any Philippine troops at all. Our joy, or, better said, our illusion, was converted into sadness.

At 10 a. m. we received some more news, still worse, to the effect that there were many Americans in Camarag, a town in the neighborhood of Escaris, and distant from it two hours by road. We were unable to ascertain what direction they would take.

The honorable president secretly expressed his opinion to B. and V., saying that we should go to Bayabas in case the enemy came. V. said that in such an event we would die of hunger, because, in the first place, the towns that were then aiding us could no longer send us anything whatever, as Escaris was the key to Bayabas, and, in the second place, the scarcity of rice in that settlement was so great that it was impossible for us to maintain ourselves there at all. B. strongly supported this opinion, so that the honorable president was convinced, and it was agreed to set out on a march for Abra Province if it should become necessary.

February 5.—About 12 o'clock to-day there arrived in our camp, coming from Tuguegarao, Manuel Guzman, ex-lieutenant of Tirona's unfortunate battalion. This officer, after telling us all that occurred in the surrender of Cagayan Valley—an act due to the infamy, cowardice, and shamelessness of General Tirona—also told us that the said general is still with the American captain to whom he surrendered. It has been observed by everybody that the said general, in order to ingratiate himself with his master, the American captain, is acting as his personal servant—now trying to secure for him the most exquisite meals possible, and now washing the dishes and quarreling with the cook and private servants of the captain; and then, again, cleaning the captain's writing table. And when the hour arrives for the captain to write General Tirona goes into the office ahead of him and gets the pen and inkstand in his hands ready to offer his master, the captain, the pen when he wishes to write. Also that this general was occupying himself every morning in cleaning the captain's shoes—in one word, he was promoted to be major-domo. General Tirona performed these acts without hesitation in the presence of many of the people.

He also stated that Tirona, standing near his master, the captain, on the day of the surrender, was insulted by all the Cagayan people, and especially by the ex-officers, natives of that province, belonging to the unfortunate battalion of which Tirona was the commanding general—in the presence of a great public gathering they called him a thief of the blackest dye, a man of dishonor, a coward, etc. But Tirona, perhaps through ignorance of their meaning, paid no attention to these insulting words.

When the officers of the battalion lately commanded by that rascally Tirona went to embark for Manila on board a ship where there were friars and Spanish prisoners, the latter, on seeing the former approach in small boats or lighters, commenced cat-calling and hissing, saying: "Away with the dishonorable officers! Away with the thieves; away with them, lest we kill them!" and "Away! Away! Away with the thieves!"

Those unfortunate officers, on seeing the conduct of the Spaniards, had to retire without saying even one word in reply, because what was said was the truth. They returned ashore to wait for another ship.

These officers, during their stay in Aparri, got news of our arrival in the valley and hastened their departure for Manila, fearing, perhaps, that we might catch them; and really we do not know what punishment we would have inflicted on them had we caught them—those valiant thieves!

By order of the honorable president, I commenced this day to make a "black list." All the inhabitants of this valley say that from the

date when Señor Leyba, colonel of infantry, and Señor Villa, sub-inspector of military hospitals, withdrew from this valley and retired to Mylolos, General Tirona and all the leading officers of the two battalions under his command dedicated themselves to traffic or trade in rice, tobacco, salt fish, matches, etc. In a word, they monopolized all the business. The price of rice rose to \$25 a cavan, salt to \$25 a cavan, and petroleum to \$25 a case. Everything went up considerably, and in such a way that during the nine months General Tirona had gathered together some \$204,000 and his officers some \$25,000. This money is what brought about the loss of Tirona and his officers.

During the governorship of Tirona in the valley the house of a wealthy man in Tuguegarao was robbed of jewels of great value and a considerable sum of money without the authors of the robbery being captured or their identity determined, notwithstanding the investigations made by Tirona. After the expiration of two months it was seen by everybody in the town that Tirona was wearing the jewels on his own body. Everyone was astonished, for it was at once known that Tirona was the author of the robbery.

The ex-official from Tuguegarao who came to pay his respects to the honorable president, offering him his services and support, returned to his town the following day with a commission conferred upon him by the honorable president to organize guerrillas among his people, he to be their commanding officer.

From the time of our arrival in this town up to the present date the local provincial commanders, the neighbors, and patriots continue visiting the honorable president, bringing with them all kinds of gifts for our suffering army.

So far the Americans, who are at Camarag, do not come to attack us; neither are we informed that they are going to do so. They must have gone on to Bayombong.

February 6.—We have been informed that the mother and son of the honorable president are at Manila, living in the house of Don Benito Legarda, and that they reached that capital long before the wife and sister of the honorable president. We have also learned that Señor Buencamino, and Tirona, and Concepcion are prisoners of the American authorities in Manila. With reference to the wife and sister of the honorable president and the two Leyba sisters, it is said that they went to Vigan and from there went by steamer to Manila.

On this day the honorable president, Barcelona, and Villa sent letters to their respective families in Manila.

At 6 o'clock this morning the deserted soldier Domingo Calinga arrived in this camp as a prisoner.

At 4 o'clock in the afternoon, at the instance of Señor Villa, there was a race between his horse and that of the "Count of Camote." [Evidently a nick-name for some member of the staff.—J. C. H.] The race was won by Señor Villa's horse, a present to him from the honorable president.

February 7.—Domingo Calinga, the deserter who arrived yesterday, was tried by drumhead court-martial this morning at 8 o'clock, and sentenced to death for said desertion. The execution will take place at 5 p. m. by decree of Señor Villa. The prisoner was formally notified of his sentence at 10 o'clock this morning.

[TRANSLATOR'S NOTE.—In the original copy it appears that the words "decree of Señor Villa" at the end of the last but one sentence above,

was first written "decree of H. P."—the letters "H. P." being used throughout this book for "honorable president"—and afterwards changed as they now stand.—J. C. H.]

At 3.30 this afternoon there was another horse race, in which the horses of Señors Carasco, Subido, and Cansio took part, the latter's horse winning.

At 4.30 the troops were formed to take part in the execution. At 5 o'clock sharp the criminal was escorted to the field where the troops were formed. The honorable president, on seeing that the criminal had already been carried out to be executed, at once wrote out an order of pardon, and immediately dispatched it by courier, so as to save the criminal's life. When the courier arrived at the place of execution, he found that the criminal was already blindfolded and ready to be shot. The judge-advocate, after perusing the pardon, read it aloud in the presence of all, and immediately everybody cried out: "Hurrah for the honorable president! Hurrah for independence!" When this was over the troops retired with the criminal.

At midnight the honorable president received several letters from Manila and from Hongkong, informing him of the political status of the present war and disastrous effects produced upon the enemy by our army, all of which is very satisfactory for our cause.

The said letters were sent by our committee at Hongkong and by Señor Espartaco, of Manila. The latter also mentioned the frenzied condition of the Manila people, who were ready to drink the enemy's blood.

February 8.—At 11 a. m. the honorable president received a verbal report to the effect that the Americans coming from Canayan are going to attack us; therefore from that moment we remained on the alert, but that did not preoccupy us, and hence we had our amusements at the customary hour. At 3.30 p. m. we all went to the race course of our camp, taking along all the horses that were going to run; attended with great enthusiasm, the first race came off at 3.30 p. m., between the horses of Señor Barcelona and Señor Cansio; it was hotly contested during the first moments and until Señor B's horse bolted off to the left without the rider being able to control him, owing to the vicious nature of the animal; on this account the judge had to declare the race off, postponing it until after the third and last race.

In the second race the horses of Señor Villa and Captain Pilar were started; Señor V's horse gained from the start and finally won.

The horses of Señors Carasco and Subido started in the third race. This race was a sprightly contest between the two horses, because they started out neck and neck, and it could not be told which would be the winner until they neared the finish, urged on by the riders; Señor Carasco's horse won.

The fourth race was between the horses that started in the first race—the one declared off by the judge; that is, it was between the horses of Señors Barcelona and Cansio. Señor Cansio's horse had already gained his distance, even at the half-way stretch, and finally won.

Our horse-racing diversion ended at 6 p. m., all those who had attended it being satisfied.

February 9.—The honorable president started out at 9 o'clock in the morning to examine our outposts, being accompanied by his adjutant, Lieutenant Carasco, Señor Villa, subinspector of military hospitals,

Captain Pilar, and a squad of cavalry; he returned about 12.30 o'clock, quite satisfied over the good spirits of the soldiers.

At 4 o'clock in the afternoon, as customary, two horse races took place. The first one was between the horses of Señors Jeciel and Pilar. It was hotly contested by both horses, but Señor Pilar's horse won by a length.

The horses of Señors Gatmaitan and Cancio entered for the second race, the horse of the latter winning with great ease; the honorable president honored this afternoon's races with his presence, as he did those of yesterday; there was heavy betting and a great deal of animation.

February 10.—Speaking of our life in this camp, it may be reduced to the following: All awaken, on the sound of the bugle, at 5 a. m., and arrange everything in order, so that at any given moment we will not have to preoccupy ourselves with anything but our defense. At 7 o'clock we have breakfast, after which each one gives his attention to the duties assigned him. At 12 o'clock we take dinner or luncheon. Afterwards we rest a little until 3 or 3.30 o'clock, at which hour the horse racing commences. At 6 o'clock we have supper.

About 1 o'clock this afternoon we received, from a source somewhat trustworthy, the grateful news that our independence has been recognized by five nations, though we do not know who these five nations are, but we made the news pass from one ear to another. In spite of the fact that it was much desired by us all, we are quite bored with continually hearing this news.

At 4 o'clock the horse races came off, the first one being between the horses of Señors Jeciel and Pilar, in which Señor Jeciel's horse won. Señors Carasco and Subido entered their horses in the second race, and the former won. The horses of Subido and Villareal ran the third and last race, won by Señor Villareal's horse.

At 9 o'clock the honorable president received several newspapers from Manila, among them *El Progreso*, as late as the 9th of January. We also received a letter from a patriot at Ilagan informing us that in said provincial capital the hostile forces, two companies of infantry and one of cavalry, were preparing, in combination with their forces at Bayombong and Echague, for an involving forward movement toward our camp, so as to catch (they say) the honorable president. Being informed of the plan of the enemy, he secretly conferred with V. and B., showing them the letter. Señor V., after reading the letter, then spoke to the president about the danger of our situation, saying that our camp was in the midst of three towns to which the enemy was going to come; that not only the person of the honorable president was greatly endangered, but that they, the enemy, could also cut off our retreat; that we could not even defend ourselves, as the forces accompanying us scarcely numbered one hundred; and that the said forces were only sufficient for his personal guard. This opinion was indorsed by Señor B.; and thus the honorable president, in spite of his insisting that we should defend ourselves, was finally convinced that we ought to leave our camp, take a course toward Abra in search of General Tinio in that province, ask that general for 500 armed men, and then once more return here in Isabela. It was then agreed that we should leave the following morning.

February 11.—Everybody woke up at 6 o'clock in the morning. There was a slight rain. We made all ready for the march, and then,

at 7 o'clock, took breakfast. The rain continued, thus preventing us from starting. It was now 8 o'clock in the morning. Ten o'clock and 12 o'clock came. We took luncheon. The rain now ceased. The honorable president then rested a little. About 1 o'clock in the afternoon, accompanied by his adjutant, Carasco, he set out for the outposts to take a view with his field glasses. He returned about 2 o'clock and told us that some groups of animals were faintly seen at a great distance, but he could not make out exactly what they were; however, he believed they were herds of animals in some pasture fields.

About 3 p. m. a man came from Escaris, reporting that at a settlement about two hours distant by road he had seen many enemies en route to our camp. Immediately the honorable president gave orders for everybody to march to the settlement of the Calingas known as Seli. We commenced the march, therefore, at 3.30 p. m., passing through the woods and some mountains. After we had traveled for nearly an hour—this is about 4 o'clock—a heavy rain fell, accompanied by a strong wind, so that we not only got wet, but also shivered from cold at the same time.

This rain never stopped until 6 p. m., when night was coming on. We kept up the march without halting, passing through those woods and mountain steeps. About 9 o'clock at night we reached a point where the guide no longer knew the road, and so we were undecided what to do, as we found ourselves in an unknown place.

About 9.30 we ran across two deer hunters, who, thank God, knew the road to Seli, and who then accompanied us as guides. We then resumed the march, and pressed on, so as to reach the settlement quickly and be able to rest.

The road was so long that 12 o'clock and 1 o'clock at night passed by without our guides giving us any hopes of being near the place. At 2 o'clock we came to a river at the foot of the mountain steep. After crossing it we encountered a very difficult road, which, on account of its narrowness and deep mud, could not be passed by the horses, even in single file. Under these circumstances the honorable president gave orders for us to rest and wait for daylight, which we did, sleeping among the "cogon" patches.

February 12.—We had breakfast at 7 o'clock. At 8 o'clock we again commenced the march in the same direction—a march without a halt, not even for a moment; yet we only arrived in Seli at 4 o'clock in the afternoon. We suffered on this trip, mostly from hunger, as we never had even a bite to eat. Hunger and the heat combined caused us sick headache and nausea.

The honorable president, considering the fact that the journey undertaken by us was a long one, and that as we left Escaris behind we had always gone farther into the mountains and hence were now far enough away from the towns, deemed it well this very afternoon to send dispatches to the town of Gamu and Reina Mercedes ordering them to hastily send here sufficient rice to provide each one of our soldiers with about 3 quarts, at least, and to also send us some food in the mountains which we were going to traverse.

Meantime, pending the arrival of the rice requested from the two towns, we remained in this settlement and passed the night without incident.

February 13.—This morning one of the Calinga men living at this settlement presented the honorable president six fish of the "talilong"

variety, which we had served us for lunch. Our cook fried them, making the renowned "sinigan" dish. The meal was scarcely ready when we all seated ourselves on the ground in a circle, prepared to eat in an extraordinary manner, because it should be borne in mind that from the month of November, when we commenced our flight, to the present date we had only seen the appetizing pictures of fish, so we were joyful when we commenced eating. We said among ourselves—the honorable president, V., B., Jeciel, and Carasco—that we were in Manila during those moments, and especially so seeing that we were covered with perspiration at the end of the meal. That was a great day for us.

About 1 o'clock the honorable president became restless over the nonarrival of the soldier who the day before had been sent to Gamu and Reina Mercedes as the bearer of dispatches and who should have been back by 8 o'clock this morning.

The soldier returned at 10 o'clock at night, bringing with him a considerable quantity of rice.

February 14.—At 7 o'clock in the morning quite a lot of rice came up from Gamu. We now had some 38 bushels of rice.

At 3 p. m. there arrived here two farmers from the Nieto hacienda and made complaints against the manager of that hacienda and other persons for holding unpatriotic ideas and always abusing the cause that we are all defending. As for that manager, the honorable president had already received various denunciations against him. Therefore this afternoon he could no longer restrain himself, and so he ordered one company, under command of Lieutenant Tiago, to at once march to the hacienda and capture those unpatriotic persons.

At 5 o'clock in the afternoon the rice which had been collected was distributed among the soldiers, a little more than 3 quarts being allotted to each soldier for his use on the trip.

We arranged to leave Seli the following morning at daylight to go to Butigui, the next nearest settlement.

February 15.—We left Seli at 8 o'clock a. m. and marched toward the Butigui settlement. From that hour till 12.30 o'clock we passed through woods, but at the latter hour we commenced the ascent of the mountain ridges—an ascent which to us seemed endless, since while the sun was getting hotter and hotter, hunger and excessive fatigue was killing us, and all of this combined to make us sick with headache and nausea. Finally we continued marching.

It was 3 o'clock and many of our soldiers were complaining of hunger and fatigue. The honorable president ordered us to hurry the marching so as to reach Butigui as soon as possible.

The sun was commencing to set. All the soldiers, now exhausted from hunger and fatigue, begged the honorable president to allow them to cook just a little something to eat and have a short rest from their fatigue. The honorable president agreed to do so, and ordered everybody to halt and cook and eat.

It was 5 o'clock in the afternoon when we found ourselves on top of the mountain ridges. We had dinner at 6 o'clock, after which we went to rest among the "cogon patches."

February 16.—All awoke at 3 o'clock in the morning. We had breakfast at 4 o'clock, and at 5.30 o'clock, almost before it was good daylight, we resumed the march for the Butigui settlement. In view of the fact that we would soon arrive at Butigui, the honorable presi-

dent thought it would be well to save time by not halting long in this settlement, but to keep on until night should overtake us.

We reached Butigui at 10.40 in the morning. The honorable president gave orders for all to halt, eat, and afterwards march on to Balinsugan, another settlement, which was already in sight.

We left Butigui at 12.40 o'clock and reached Balinsugan 15 minutes before 3 p. m., after having crossed some very high mountain ridges. This settlement is situated on top of a lofty mountain ridge, and is inhabited by the Calingas or Ifugaos.

As it was only 2.45 p. m., and hence very early to rest, the honorable president considered it expedient that we should continue the march to the next settlement called Madalao. Meantime we rested in Balinsugan for some minutes while the rice offered us by the Calingas was being packed up. At 2.50 p. m. we resumed the march, passing through the Calvary Mountains, and ascending and descending among them. In short, after a great deal of suffering, we arrived in Madalao at 5.35 in the afternoon. Here we found nobody, as the Ifugaos had gone off and hidden themselves, carrying along their things. Owing to this fact, we were unable to find even a single Ifugao to act as our guide to the next settlement. Neither did we have anything here to eat; and it should be especially borne in mind that nothing but lofty mountain ridges could be seen in every direction. Surely we had gone very far into the interior of this mountainous region, since we had been traveling among them for four days.

The honorable president said that our situation was very critical and deplorable, because our chief enemy now was hunger, and, moreover, we could not continue our projected journey to Abra without having a guide through these mountains. "What shall we do?" said the honorable president.

It was agreed that on the very next morning we should set out for the Banafa settlement, using as our guide the Ifugaos we brought with us from Balinsugan to Madalao. Therefore Major Gatmatian was charged, under the strictest responsibility, with keeping watch over the said Ifugaos.

The honorable president gave orders that night for everybody to get up at 4 o'clock the next morning. He also sent 12 soldiers in search of 12 other soldiers who had not yet arrived on account of their having remained behind in charge of the two cows and a horse.

February 17.—At 4 o'clock in the morning we all got up to take a bite to eat. At 8.20 we set out on the march for Banafa, going through the mountains always. After many ascents and descents we finally reached the settlement at 11.30 a. m. As the trip we had just finished was a very short one, we had to continue on the Parasili, the next nearest settlement of the Ifugaos. Nevertheless, we rested in Banafa for one hour and a half. So, at 5 minutes to 1 o'clock p. m., we continued our trip through these mountain ridges, arriving in Parasili at about 5.10 p. m., after having suffered much pain en route because the Ifugaos had placed in the road many pitfalls or staked sticks beneath the ground to be trod on by our feet. On account of this savagery on the part of the Igorrotes we had to lament three accidents in the shape of wounds to the feet resulting from those stakes or spikes.

February 18.—On this date the honorable president ordered that we would not leave this settlement before collecting sufficient rice to last us for a trip of three days. Hence orders were given for all the

soldiers to go out and gather up all the unhulled rice the Ifugaos had left in their camarines, or storehouses, and then to clean or hull it, until each soldier should have about 9 quarts of rice. The soldiers did nothing but hull rice throughout the whole day. On the following day we were to resume the march.

February 19.—As the soldiers were unable to prepare enough rice for our journey, the honorable president ordered the marching suspended for to-day so the soldiers could continue cleaning rice. We were to march on the following morning.

At 5 p. m. a gentle rain commenced, and the sky was covered with clouds. The rain continued all night long.

February 20.—At daybreak it was still raining. The mud in these mountains is horrible, making it impossible, or, at least, very troublesome, to go up and down them. Our soldiers have no rain coats, and for this reason the honorable president suspended our projected march for to-day until further orders.

In a conversation which the honorable president had with an Ifugao this morning he found out that the road he was traveling on toward Abra is a very long one, and that there is a short road passing by the Banafa settlement. Therefore, in view of this, the honorable president ordered that whenever we left Oarasili we should return to Banafa, and from that point continue our journey to Abra Province.

February 21.—We were all up at 2 o'clock in the morning. At 4 o'clock we had breakfast. When we were ready to start the honorable president called for the Calingas who were to act as our guides and asked them if the horses could travel the road we were going to take. They answered, "No," and said the horses could only pass by way of Guinabuan. In view of this difficulty, the honorable president ordered us to take the Guinabuan road. So, then, at 6 o'clock in the morning we started on the march for that point. We had scarcely gone any distance before encountering another very lofty mountain; it cost us three and a half hours' work to ascend to its top. Besides, we had to lament many accidents which happened to the soldiers. Señor Barcelona was attacked with a spell of heart trouble, and the same thing happened to many others, it being caused by the excessive fatigue and intense thirst.

We continued our march through these mountain ridges under the clear sun, and after any number of ascents and descents during a continuous march we reached the Guinabuan settlement. Without resting there we continued our march, and at 3 o'clock in the afternoon arrived at the Latang settlement. We passed on to the Maralag settlement, reaching it at 3.20 o'clock. After resting for half an hour we left this settlement and set out for Caragoag, which we reached at 5 p. m. Throughout the day we had only eaten some sugar cane which we found along the roadside, but we had eaten no rice.

The honorable president issued orders for us to spend the night in the last-named settlement, and we did so, the night passing without incident.

February 22.—Everybody was up at 4 o'clock in the morning. At 8.30 we left Caragoag and set out for the settlements located on the road to Abra. We reached the first one, Malabig, at 10.10 a. m. We did not rest at this one, but continued on to the succeeding settlements. In a few words, after a lot of ascending and descending among the mountain ridges, we came to the Boac settlement at 3 p. m.

As the majority of the soldiers were already played out on account of hunger, fatigue, heat, and especially their sore feet—for these mountain ridges are of rock—the honorable president gave orders for us to rest until to-morrow.

February 23.—As is customary on our trips, everybody got up at 4 o'clock in the morning and commenced cooking something to eat. We ate breakfast at 6 o'clock, and at 7.30 we left Boac and marched toward Bila, the next nearest settlement of the Ifugaos.

After traversing lofty mountain ridges, we reached Bila at 10.25 a. m. The honorable president calculated that if we should continue the march toward the next settlement we should not arrive there that day, never mind how much effort we might put forth. Hence he deemed it expedient for us, in spite of the earliness of our arrival, to spend the rest of the day in Bila, and to resume the march on the morrow.

This is the first Ifugao settlement that we have found very full of coconuts; everywhere on the mountain range nothing else is seen but cocoa trees.

At 4.30 p. m. we received notice from the Ifugaos that unless we went away they would burn our camarines and come to attack us that night, as they say there are more on the next mountain ridge. That never bothered us, as they were only armed with lances and bolos.

The night passed away without incident.

February 24.—Everybody arose at the customary hour. At 8 o'clock sharp we commenced the march to the Madicayon settlement, passing over mountain heights darkened by the trees that grew there.

Ascending and descending without halting, we reached a beautiful spring near the foot of a great mountain spur at 1.30 in the afternoon. The honorable president, on seeing that many soldiers were already quite faint both from hunger and fatigue, ordered us to take dinner here. Immediately afterwards, about 2 o'clock, we resumed the march, and began to cross the spring (sic) we had found. The velocity of its current was so horrible that we had to support one another in order to prevent being swept away by the current. As it was one of the horses of our officers was drowned and swept away by the current. The water did not come up to the groins.

Once on the other side we again happened upon this river (sic), having followed its direction. Passing through the same water again, we found ourselves half drenched. We made great efforts to counteract the force of the current, as the river (sic) is full of large rocks, the size of small houses, and hence if one should fall a victim to the current his head would be split open by striking against the rocks.

Hours passed away, and we continued traveling along the river. At 4.30 p. m. we commenced to climb a great mountain ridge. We arrived on its top at 5.30, and found the shacks of the Ifugaos. Night came on. The honorable president gave orders for us to rest here in Maducayon and resume the journey the following morning.

February 25.—Owing to the fact that many soldiers had become sick on the trip, and as others were still exhausted from fatigue, the honorable president, to give them a rest, ordered the suspension of our march for this day, to be resumed on the morrow to Dancalan, the next nearest settlement.

February 26.—All got up at the customary hour. We left Maducayon at 7.25 a. m., and set out for Dancalan settlement. We at once ran up against a great, lofty mountain ridge. We ascended it, the

ascent occupying us until 1.30 p. m. We had to open up roads for our passage, as large trees surrounded us on all sides. When we reached its top we at once commenced the descent.

We reached the foot of the mountain and found a spring (sic) with a current of an atrocious velocity. It probably must be the continuation of the one at Mandacayon, where we all swam.

After resting fifteen minutes we resumed the march and commenced to climb another mountain. There was no road; we had to open a way for our passage. The ascents were steep. The mountains were covered with large rocks which we ascended on all fours. Night was drawing near, and we commenced to descend the mountain.

On remembering that it was always very cold in these mountains, the honorable president was certain that the bamboos must contain water on account of the sweating and condensation. So we cut open some and found them full of water. So that was a discovery for the relief of our troubles in these mountains, when we * * *

[TRANSLATOR'S NOTE.—At this point ends the first "volume" of the memoirs, the incompleted sentence running over into the second "volume." On the inside of the cover of the second "volume" is the following:

Field officers and officers accompanying the honorable president: First Bulacan Battalion, Maj. Geronimo Gatmaitan; Second Company, with 27 soldiers, First Lieut. Santiago Catindig; First Company, with 49 soldiers, Second Lieut. Vicente Morales, First Lieut. Teodoro Dayao; Sixth Company, with 18 soldiers, Second Lieut. Lucio Valentine, Capt. Juan H. del Pilar.

First Battalion of Ilocos Sur: Fifth Company, with 33 soldiers, Capt. Ildefonso Villareal, First Lieut. Roberto Bautista, Second Lieut. Sulfurio Luna, Second Lieut. Leancio Alejandrino.

Total soldiers for the firing line, 107.

Bureau of military supplies: Second Lieut. Braulio de la Cruz, Second Lieut. Anselmo Subido, attached.

But the unbroken narrative, commencing on page 1 of "volume" 2, continues as given below.—J. C. H.]

* * * are thirsty. At the foot of the mountain we found a spring. It was 5.30 p. m., and we were unable to continue the march. In view of this the honorable president ordered that we should sleep at this place.

We passed the night very badly, because as we could not find a foot of level ground owing to the large rocks, each one of us had to sleep on top of a rock.

While we were ascending the first mountain encountered in our march this morning, the honorable president noticed that all our faces were pale and covered with abundant perspiration, our respiration laborious, that there were complaints of thirst, obscurity of vision, and nausea; and in a loud voice he said to all: "What a costly thing is independence! How we are suffering!" On hearing this word everybody cried out in the interior of the mountain: "Hurrah for independence!"

One of the insects that has given us most trouble during the trip through these mountains is the "limatic," an animal resembling the leech, but much smaller. It abounds in these mountains, and hence not a one of us has escaped being bitten by these animals. They introduce themselves inside of the clothing, and even attack the face, as happened to the honorable president.

February 27.—Everybody got up at the regular hour. At 7.25 a. m. we resumed the march for the Dancalan settlement. On com-

mening to ascend the mountain ridges we again encountered large rocks which we had to pass over on all fours. We opened up a path for our passage.

About 9 a. m. we were attacked on the road by the Calingas. Our soldiers got even with them for their foolishness and also captured a Remington gun from the Calingas, who fled at our first volley. When this was over we resumed the march, continuing to ascend the mountain.

Hours passed by as we marched on without halting. Many soldiers complained and lay down on the ground on account of hunger and the fatigue of climbing. It was 1 o'clock in the afternoon, and still we had not reached the summit. Then they said that we were only half way up the ascent. We pushed on so as to avoid being overtaken by night on this vexatious mountain, where there are so many "limatics."

We reached the summit at 3.30 p. m., sick from hunger, thirst, and fatigue. Without eating anything we commenced descending the mountain. The ground was slippery, and at every moment was heard the sound of falls and wailing. The descents were very steep. We hastened our footsteps in order to reach some point where there was water to quench our thirst.

At 5 p. m. darkness commenced to hold sway in the interior of the mountain. Our patience to find water was being converted into desperation. Night arrived, and we could no longer see anything. We kept on walking, but with great fear of falling into the exceedingly deep precipices. We heard no sound of any current of water.

The "limatics" were numerous. Our desperation was great, because, after having neither eaten anything all day long nor tasted a drop of water, now the "limatics" were ready, in case we slept in these regions, to suck out the blood that was still sustaining our strength. As it was really impossible for us to continue the marching except under grave risks of breaking our necks, we had to yield to our fate. So the honorable president gave orders for us to halt here and wait till the following day. Already resigned to having our blood sucked out by the "limatics," we all went to bed among the rocks and tree trunks covering the soil of this mountain. But before getting to sleep hunger and thirst made us sick and nauseated, for we had eaten nothing throughout the day. In a few words, drowsiness and fatigue overcame all that, and we succeeded in sleeping until the following day.

February 28.—We got up at 5 a. m., and at 6 sharp we resumed our march, going farther and farther down the mountain. Fasting throughout the previous day had greatly weakened us; hence we suffered falls at every step. At 8 a. m. the hunger again made us sick, but worse than last night. Our vision became blurred, and the falls were more frequent. Our bodies became mere useless bundles of weakness. Ah, what a costly thing is independence!

By force of will power we kept on walking. Our bodies had already become sore from the great number of falls. At 10 a. m. we reached the foot of the mountain. A short distance farther was the Dancalan settlement; but halfway between it and us was a river with a current of atrocious velocity. From the foot of the mountain we observed that the Gaddanes or Ifugaos of the settlement were in great movement, perhaps on account of our presence, and also doing a lot of killing. On seeing the hostile attitude of these people, the honorable president sent forward one of our Ifugao guides to inform them of our

friendly intentions. After half an hour he returned, accompanied by two of the Dancalan Ifugaos bringing a bundle containing a lot of cooked rice. When we—that is, the honorable president, V., B., and J.—saw this rice, it seemed that heaven had opened to us, and we actually ate it up at once, even without meat or anything.

To reach the settlement, it was necessary to swim across the river; hence, to economize in the matter of clothing, we stripped naked.

At about 11:30 we arrived at the settlement. In it there was not a single Ifugao or Gaddan, as they also termed themselves. We took up our quarters in their shacks, and immediately cooked something to eat.

About 1:30 p. m. we saw many Ifugaos, armed with lances, coming to attack us. These were on top of the mountains. We took the necessary measures; and in view of their hostile attitude, the honorable president ordered two of their houses burned.

So as to let the soldiers have a rest, the honorable president gave instructions for us to remain here for two days and then resume the march toward the Lubu settlement.

We spent the night without incident.

February 29 (sic).—About 10 a. m. six Ifugaos of this settlement, among them their chief, presented themselves to the honorable president. He detained them with kind words in order that they might act as our guides to Lubu, the next nearest settlement, and he let go those from Manducayon, who had guided us to Dancalan.

There is a great deal of sugar cane at this settlement. As our salt, the only “extra” which we served at meals, gave out some time ago, Señor V., at the suggestion of the honorable president, devoted all of his time this day and yesterday to making sirup. During these two days he produced about 6 quarts which will be used by us—the honorable president, V., B., and J.—during meals.

In all the settlements or places visited by us we have always observed that if you look upward toward the sky it scarcely seems to be a hundred yards away according to imaginary calculation. This must be caused by the lofty mountains surrounding us on all sides; and it is certain that we only see a small portion of the firmament. Likewise the sun and the moon, it seems, are not visible to us until 9 or 10 o'clock in the morning (sic), and about 2 or 3 o'clock in the afternoon (sic) they commence disappearing from our sight, hiding among the mountains.

The night passed without incident.

MARCH, 1900.

March 1.—Everybody got up at 4 a. m. They cooked and ate breakfast. At 7.20 o'clock we left Dancalan and took up the march for the next settlement. Each one of us was provided with the trunk of a tree (sic), a kind of walking stick, which we used in ascending and descending the mountains in order to sustain ourselves and avoid the frequent falls, causing bodily injury. We traveled among mountains of ordinary height, perhaps not over 800 meters. The roads being closed two Ifugaos opened the way for us.

In these mountains there is much vegetation and so we did not suffer from the heat nor anything, though we never halted on the march.

At 2.30 p. m. we reached a river. We ate here and immediately afterwards resumed the march. At 5 p. m. we arrived at the Gaang

settlement, a place completely deserted because its inhabitants had left on account of our approach; and before abandoning their houses they had taken away the floors and hidden them. Therefore we arrived here without being able to find lodging in their huts. Our journey this day has been an easy one and we did not suffer as on other days. To-morrow we will go onto Lubu.

The headman and others of Lubu came up to see us at this Gaang settlement. Speaking of the singing of the Gaddans, this is the first night we have had the pleasure of hearing them. The singing is very similar in every respect to that of the Chinese. The Gaddans serving as our guides and those who came over from Luba sung in chorus this night until about 8 o'clock.

March 2.—We got up at the usual hour and cooked and ate breakfast. As soon as everything was ready to go, the honorable president, wishing to demonstrate to the Gaddans of the Gaang settlement the fraternal feelings with which we had come, sent out the headman of Lubu to call them and suggest they should present themselves. But notwithstanding so many flattering words, the inhabitants paid no attention to us during the two hours in which the honorable president was waiting for them.

Those from the neighboring settlement, Lubu, who came to see the honorable president, display great enthusiasm and affection. Hence at daylight this morning they were singing in chorus as they did last night.

We left Gaang at 9 a. m. and started out on the march to Lubu. We passed through some pretty mountain ridges which have roads, and which are not very high. Our march was more rapid, and after two hours and a half, that is at 11.15 o'clock, we reached Lubu, and that, too, without any of its inhabitants fleeing and hiding themselves. On the contrary, they greeted the honorable president.

During our march from Gaang to this place, the Gaddans of Lubu who went to meet us at the former settlement, followed behind singing in chorus.

After luncheon and during the hour of rest, the honorable president had a conversation with B. and V. about our situation and the present war against the Americans, saying that, even though greater suffering should come than those we now have, he would endure and accept them with pleasure until the realization of the independence of our country. He fears there will be a civil war afterwards.

During the time of this conversation, the honorable president received word that the Gaddan guide who had served us from Maducayon to Gaang had been assassinated, together with his two companions, by the Gaddans of the Gurung settlement, while the former were returning to their own settlement. The honorable president, bearing in mind that those three guides had served us very well; that, above all, they would not have come to these places but for our having carried them, and that, to a certain degree, it might be said that they died on account of serving us, considered it proper to punish the murderers. So he sent 50 men, under command of an officer, to the Gurung settlement. The detachment started out for that place at 2 p. m. and returned here at 5 o'clock, having carried out the orders.

According to the soldiers, they saw the bodies of the murdered guides in the river, but without heads, hands, and hearts, since, as is known, the Gaddans take away these parts of the body for the

“kanao” feast and eat the hearts. The soldiers also stated that the bodies of the victims were made into mincemeat, as there was no part of the same that did not show lance wounds.

As for the trip we made this morning, it passed off very well, seeing that we suffered nothing—neither heat nor hunger, except that consequent upon fatigue—since in the mountains through which we passed there was much shade and few steep places.

To-morrow we will resume the march for Mangali.

The night was passed without incident.

March 3.—All having grown accustomed to getting up at 4 a. m., we awoke at that hour. We left Lubu at 8.15 o'clock and commenced the march to Mangali.

On starting out from the Lubu settlement our march was at first a descending one, because this settlement occupies large and elevated mountain ridges. Afterwards we commenced ascending and descending the mountain ridges encountered en route.

We reached the river at 11.15 o'clock and rested until 12 o'clock, on account of the insupportable heat, and then marched on. The river was quite deep, and we had to cross it by swimming. Those who did not wish to get wet passed across on a footway about 6 inches wide, located on one of the bluffs of the mountain—an exceedingly dangerous passage, since if one should chance to slip and fall, a thing easily done, he would necessarily break his neck. Hence, very few passed over that way; almost all swam the river. Once across and following the direction of the river, we once more had to get down into it, since the banks are lined by high mountain ridges, having bluffs almost perpendicular. So we continued walking in the river, the bottom of which is composed of large rocks, some being very slippery, others jagged.

The soles of our feet were soon paining us. The current was very strong, and we sustained ourselves with the walking sticks we carried. We had to endure this traveling in the river until 2.15 o'clock, when we climbed out onto a mountain ridge, on top of which is located the Mangali settlement. We reached that settlement at 3.30 p. m., finding it completely uninhabited, the Gaddans having on our approach removed the floors of their houses, before abandoning them.

Although the hour of our arrival was too soon to take a rest, nevertheless the honorable president, bearing in mind what the soldiers had suffered during the day's march, deemed it well for us to rest and continue the journey the following day.

About 5 p. m. the Gaddans of the settlement presented themselves to the honorable president, and after he had expressed his fraternal sentiments to them they quietly retired into their houses.

March 4.—We left Mangali at 8 a. m. and began the march to Taluctoc. On starting out from Mangali, we went down to the river that winds between several high mountains, and crossed it by swimming.

To reach Taluctoc we took the direct line of the road passing along the river. But we had hardly gone 200 yards before we had to again cross the river, swimming it on account of its great depth. Once across, we continued the march, passing along the river bank at the foot of those mountains, and treading in the midst of large rocks which hurt our feet all the time. By reason of this sort of marching many of the soldiers had the soles of their feet swollen on this day. Although the sick were prohibited from wetting themselves with cold

water, they not only took baths once or twice at unseasonable hours, but, briefly speaking, they kept it up until our arrival at Taluctoc, since in order to reach that place we had to cross the river seventeen times, and therefore each one took seventeen baths.

While crossing the river the velocity of its current was so atrocious that we had to grasp one another in order to keep from being swept away; and while the cold was killing us we sought to distract attention from our suffering by saying, "What troublesome jokes are those of Otis!"

Finally, after so much bathing and swimming exercise, we arrived in Taluctoc at 12.20 o'clock. The Gaddans inhabiting it did not run away, not a one of them. They paid their respects to the honorable president, who asked them for rice and pork for the soldiers, which they brought for us without delay.

During a conversation with the Gaddans of the settlement about 5 o'clock this afternoon it was found out that Abra had already been taken by the Americans, and that the Filipinos who were defending that province had retired to the Guinaang settlement, and more recently gone to Bontoc Province.

Owing to the carelessness of the Gaddans, those in this settlement of Taluctoc insist that Aguinaldo is a supernatural man; that he flies through the air, and that he ordinarily stays with the thunder.

We now find ourselves on the edge of the Abra portion of the Cagayan Valley, and hence when we march to-morrow morning our feet will touch the soil of Abra Province.

March 5.—At 7.45 a. m. we left Taluctoc and set out for Mabuntot.

We had scarcely left the settlement when we commenced to ascend high mountains. Hours passed away, seeming like years to us. The sun was approaching the zenith: our perspiration was copious; it was 10 o'clock - and still we had not reached the summit. We continued ascending, but with painful difficulties. We got to the top at 11 o'clock and commenced the descent.

At 12.10 o'clock we arrived at the foot of the mountain. Then we ascended another mountain, this one of medium height. On reaching its top we descended, as the Mabuntot settlement lies at its foot. The Gaddans of this settlement presented themselves to the honorable president. We arrived at 1.30 p. m. The Gaddans of the settlement who came from Abra assured the honorable president that that province had already been taken by the Americans.

As the hour of our arrival here was quite early to stop, the honorable president deemed it expedient to continue the journey until arrival at the Labuagan settlement, which is very near here. So at 3 o'clock we were about to begin the march when it was noticed for the first time that a sick soldier was missing, he having undoubtedly remained behind on the road because of want of strength during the ascents we had made. The honorable president suspended the march until the next day, and sent a squad of 12 soldiers to search for the sick man along the route we had come among the mountains.

The soldiers returned at 4 p. m., bringing with them the sick man, whom they had found lying down on the mountain.

This Mabuntot settlement is located at the foot of several high mountains, being surrounded completely on all sides, and is the first settlement across the line in Abra Province, where we now are.

Notwithstanding all our inquiries among the Gaddans here concerning

the whereabouts of General Tinio, we got nothing from them. Therefore the honorable president did not know how to find the said general unless we went direct to Abra, which would not be prudent, as we had few troops, and it was certain that the province had already fallen into the power of the Americans. So there was a conference between the said honorable president, Señors V., B., and Captain Villareal, the latter being commissioned to go into the provincial capital or any other town of Abra Province to ascertain there the location of General Tinio, and inform him that the honorable president desired a conference with him at the Labuagan settlement, where we would remain.

It not being prudent for us to go beyond the Labuagan settlement lest we would find ourselves near the enemy, the honorable president thought it would be expedient on our reaching Labuagan to establish there our headquarters pending the return of Captain Villareal or the arrival of General Tinio for the conference.

Besides many other considerations, the chief object of the conference solicited by the honorable president is to learn from General Tinio whether the provinces under his jurisdiction are occupied by the Americans in large forces. If they are, then the honorable president will order our troops to retire from those provinces and go to the provinces of Cagayan and Isabela, through which we have just come; because we noticed that there are very few American detachments in these provinces. Our guerrillas, therefore, will undoubtedly be able to accomplish good results; and in case the enemy reinforce the provinces (sic) of Cagayan [and Isabela—J. C. H.] then our guerrillas will once more return to Ilocos.

March 6.—We left Mabuntot at 7.50 a. m., and took up the march toward the neighboring settlement, Labuagan. On leaving the settlement we commenced to ascend a very high mountain. Looking at its summit from below was enough to put one in despair; but we could not stop and remain, for that meant the “Kanao.” So we climbed onward, but at a slow pace, meantime getting our eyes blinded by the heat of the sun. Our clothing was drenched with perspiration, our breathing became short and laborious and our knees tremulous. By 9.30 we had nearly reached the summit.

It was not possible to rest, as the mountain is without vegetation and the heat of the sun makes one sick. So we kept on ascending. At 10.15 we reached the summit, where the Labuagan settlement is located. Then our enthusiasm was great, for we knew we were going to rest here for some days.

Not a one of the Gaddans left the settlement; they greeted the honorable president. It is very probable that the altitude of this settlement is about 7,500 feet, and it is inhabited by some 800 or 1,000 Gaddans.

[Here ten lines in the original book are purposely blotted out and so deeply written over that they are undecipherable.—J. C. H.]

—and, perhaps, there can not be severer pains than these.

This afternoon the head men of the Pugon settlement presented themselves to the honorable president. As for the news given us by them, they say that the forces of General Tinio are in Bayugao Mountains, between Bangued and Vigan.

Captain Villareal, accompanied by 15 soldiers, will leave day after to-morrow.

March 8.—At 9 a. m. Captain Villareal, with 15 soldiers, left on his

mission. He also carried with him two packages from the honorable president—one to be sent to Manila and the other to the Hongkong committee. We expect the captain to return here within the space of twenty-five days.

About 1 p. m., through one of the Gaddans of this settlement, the honorable president received the news that 300 Americans had arrived in Lubu, a neighboring settlement; and they must certainly be coming in our direction, for upon no other hypothesis can we understand why the Americans should come into these mountains and high craggy regions, undergoing the severest hardships, unless they had as their object the capture of the honorable president, trusting, perhaps, that their forces are greater than ours, and especially so at this time when we have just sent away some of our soldiers this morning to Abra Province. Therefore the honorable president, in view of all these phases of the case, at once dispatched a communication to Captain Villareal ordering him to immediately send back some soldiers and be himself to remain in the Guinaang settlement to secure information, in order that, uniting our forces in this manner, we would be able to resist the approach of the enemy following us. Then, too, we are in a good position, on the summit of a lofty mountain ridge having an altitude of 7,500 or 8,000 feet; and if we fail, we will make a retreat to the other mountains, which to-day are our towns. How enamored they are with the honorable president!

We very much doubt the truth of the report that the Americans have arrived in Lubu. The Gaddans of Labuagan, the settlement where we are at present, have for some days been wanting us to go away, and we believe they have circulated the report in order to accomplish the end desired; for the mere thought of the condition of those mountains through which we have passed is enough to make one tremble.

Speaking of our lodgings in this settlement—we do not all live together, because the houses of the Gaddans, Ifugaos, or Igorrotes, which we inhabit, are very small—we live in separate groups of from three to four individuals at the most in each house; the officers are grouped in the same manner. The inseparable companions of the honorable president in any house occupied by him are V. and B., and the honorable president's adjutant occupies another house.

About 10 o'clock to-night the soldiers requested of Captain Villareal arrived.

March 9.—Owing to the bad state of the mountains through which we have passed the honorable president does not believe that the Americans are following us, and hence this morning he sent instructions to Captain Villareal to continue his journey to Abra. At the same time he forwarded a communication to General Tinto ordering him to send here two companies of his soldiers and instructing him that in case of our leaving this settlement he should undertake to find us.

March 11.—The honorable president received a report from Captain Villareal saying he had arrived in the Banao settlement, and that according to the tinguiana of the settlement General Tinio is in Celion. Therefore Captain Villareal will take the direction to that point.

As to the Americans reported as being at Lubu, they have not yet come here. Then, if that report is true, their delay must be due to

the continuous rains which have fallen from day before yesterday until now; because the mountains are impassable.

This morning we felt in these mountains a strong earthquake which lasted about four minutes.

March 12.—A gentle rain keeps us. The Gaddans of the settlements near here continue presenting themselves to the honorable president.

The honorable president entertains himself with the two companions of his house, V. and B., by studying English, as we now have nothing else to do.

March 13.—About 10 o'clock this morning the honorable president received a report from Captain Villareal, saying he had arrived in Doleres, Abra Province, and that according to information there Generals Tinio and Natividad are both on Bulagao Mountain.

In this settlement of Labuagan there is a great deal of malaria. Hence nearly a third of our soldiers are sick with it, and the worst of it is that we have no medicine here for this disease. In these mountains we can only rely on the protection of Divine Providence.

March 14.—The honorable president went, about 9 o'clock this morning, accompanied by Lieutenants Bautista and Subido and a number of soldiers, to reconnoiter the mountains toward the Guinaan settlement. They came back about 3 p. m., the honorable president being quite indisposed, owing to the effects of the hunger he had suffered. To-night the honorable president is still sick at the stomach and has nausea, with slight headache, and so he has been given the appropriate treatment.

March 15.—The day dawned beautifully. The honorable president has quite recovered his health and is once more devoting himself to his routine duties.

March 16.—By the order of the honorable president, this morning at 5 o'clock 25 soldiers, under command of officers Del Pilar and Valentin, set out for the Guilayen settlement to secure in said settlement some 20 carabaos to furnish us all meat, and likewise some salt, since for some days we have been eating neither meat nor salt, though we have never been in want of rice, which exists here in abundance.

By order of the honorable president, all the sergeants and corporals have been practicing with the heliograph since 9 o'clock this morning.

After supper, which was at 6 o'clock, the honorable president, in a conversation with B., V., and Lieutenant Carasco, told them that as soon as the independence of our country was declared he would give each one of them an amount of land equal to what he himself will take for the future of his own family, that is, he will give each one of the three senores 13,500 acres of land as a recompense for their work; and also that these plantations will be located adjoining one another in such a manner that they will lie in the same province. In all probability they will be located in the San Jose Valley, province of Nueva Ecija, and the principal products will be coffee, cocoa, sugar, rice, and cattle.

About 8.30 Señor Carasco withdrew in order to go to sleep. When he was beginning to go to bed, Lieutenant Carasco, the adjutant, came back calling for the honorable president and crying out "A coup! Good news!" Then the honorable president and his two companions, V. and B., got up at once, struck a light and bade Lieuten-

ant Carasco to enter. The lieutenant came and delivered to the honorable president an official report from Captain Villareal, dated 13th instant, in which he informs the honorable president that in the Pial settlement, in the jurisdiction of Abra, our forces, commanded by Lieutenant-Colonel Villamor, had successfully couped 200 Americans. It came about in this way: By means of their spies, the American troops in Abra got news that the Filipino forces were in quasi hiding at the Pial settlement. The United States military commander in Abra Province at once ordered 200 Americans to go to said settlement for the purpose of capturing or pursuing said insurgents. Those brave Americans started out immediately, without paying any attention to the difficulties of the mountain through which they were to pass. Night came on, and they were still a long way from Pial settlement. So they had to rest in the rice fields where night overtook them, probably intending to resume the march on the next day. But at midnight Lieutenant-Colonel Villamor's column took advantage of the sound sleep of the Americans, closed in on them in a small circle, and then opened fire from all sides. The Americans finding themselves in the center where the Filipino balls converged, could not even fire their guns. A great panic reigned among them without their knowing what to do, many dying and others being wounded after half an hour's firing by our troops. Only one of the Americans was saved.

By that victory our forces gained 200 guns and cartridge boxes, with a considerable number of cartridges and also a large quantity of food supplies.

March 17.—By order of the honorable president, the above-mentioned victory of the Filipino arms was published this morning in the camp here at Labuagan, for the information and satisfaction of our soldiers.

March 18.—At 6 o'clock this morning the honorable president received another report from Captain Villareal informing him that Lieutenant-Colonel Villamor's column had been occupied for some days in attacking the American detachment in Bangued, Abra Province. Captain Villareal knows nothing as to the results attained, but it is supposed that they are favorable to us, as our forces were still keeping up the attack on the day he wrote his report, that is, the 11th instant.

He also mentions in his report that, according to the people in Abra, General Tinio is on the Bulagao Mountain with a large column, and that he has hoisted the Filipino flag on that mountain.

March 19.—Our soldiers who, on the 16th instant, went to the Guilayan settlement came back this afternoon at 2 o'clock, bringing the honorable president one caribou and one shoat. They had been unable to secure the twenty caribous, as was their intention, since these were not to be found. They also brought with them as prisoners two Christians, captured by them in the mountains before reaching Guilayan, and suspected of being American spies.

March 24.—To-day is the thirty-first birthday of the illustrious Filipino chieftain, Señor Emilio Aguinaldo, who was born March 22, 1899, in the town of Cavite Viejo, Cavite Province, his parents being Carlos and Trinidad Famy, very respectable and well-to-do residents of that town.

From his childhood Don Emilio Aguinaldo displayed great affection and veneration for his parents, even going to the extreme of fighting

with his elder brothers when they, in fits of bad humor, used to reply to their parents in impudent terms. When he was 11 years old, his parents sent him to Manila to receive preparatory instruction for entering college. During the second year of the Latin course he had the misfortune of losing his father by death.

As his widowed mother considered Don Emilio the only one of her sons who could be intrusted with managing the estate left by her husband, she told Emilio that he would have to quit his studies and devote himself to superintending the work on the farms which his deceased father had left for the family. In spite of the tender years of the son who had been chosen over his elders, Don Emilio managed the farming interests with such zeal and activity that he won the admiration, not only of his mother and his brothers and sisters, but also of his fellow-neighbors.

When 22 years old, he gave up farming, and commenced traveling through the provinces of Mindoro, Romblon, and Capiz, devoting himself to large business enterprises in all the products sent from those provinces to Manila. The decision and bravery shown by Aguinaldo on his first sea voyage is surprising, since with eight companions as oarsmen, he embarked in a parao, or large native boat, passed across the China Sea (sic), and after an eight days' voyage on that perilous ocean arrived, by the grace of God, at Romblon without accident. He continued his voyages, going and coming, for several years. Then, in 1895, he was unanimously elected municipal captain [native mayor under the Spanish régime—J. C. H.] of his town. Not being able to refuse the office offered him by the town, he saw himself compelled to give up his voyages to the southern provinces.

He took charge of his office, and, although he was very young, not over 25 years old, he gained the admiration of his town, not only by the rectitude and justice of his administration of the office, but also on account of his charitableness of heart toward the poor.

In January, 1896—that is, the year following his election to office in the town—he married Dona Hilaria del Rosario, a young lady distinguished in the town not only for her moral work, but also for her physical beauty.

The memorable month of August, 1896, arrived. Aguinaldo was "master" of the Cavite Lodge. Moreover, he was a member of the "Katipunan" Society and the chief of the many members who were in the town of Cavite Viejo. What was to be done? Aguinaldo, not knowing what to do, and mindful of the fact that the curate there knew positively that he was not only a Mason, but also the chief of the Katipunans of his town, considered it expedient on the night of August 29 to at once call a meeting of all the compromised persons in his town. Aguinaldo made clear to them their grave situation.

They all agreed that on the following day Aguinaldo, their chief, should make representations to the governor of Cavite; so he went away very early the following morning, presented himself to the governor, and in the name of the people of Cavite Viejo offered him their respects and their loyalty to Spain, at the same time requesting him to condescend to send to his town a garrison of 100 men for its security. The governor replied that he would first consult the captain-general, and if the proposition was approved he would send the garrison at once.

As Aguinaldo was greatly beloved by the governor and his wife,

they offered him wine and sweetmeats. As soon as this was over he took his leave and returned happy to his town. On arrival in the town he assembled all the compromised persons and informed them of the brilliant result of his efforts. Continuing, he told them that then was the opportune moment for rising in arms against the Spaniards. To this they unanimously replied by saying it was terrible, because no arms were available, and that for this reason it would certainly prove to be a disaster for them.

But Aguinaldo, in company with his godfather, the lamented Candido Tirona, insisted on convincing them with their strong arguments. They made them understand that Spanish cruelty would annihilate them without fail, and for no other reason than that they were members of the Katipunan.

As it happened, at that very time there were two "Guardia Civil" soldiers in the court-house. So at about 2 o'clock in the morning Aguinaldo and Tirona went directly to the court-house. Arriving there, these two determined insurgent chiefs intimated to the guards that they should surrender their equipments. These replied that it was impossible, and said they would die first. Instantly a struggle ensued between the four men, which lasted nearly an hour. But it resulted in favor of the insurgent chiefs, who succeeded in taking the guns and cartridges. Once in possession of these armaments, the two chiefs, accompanied by a number of the town people, directed themselves to the convent in order to capture the curate. Very unfortunately for them, the curate was no longer there when they arrived; he had made his escape. While the struggle was going on with the guards in the court-house he received the news, and fled at once by embarking in a native boat.

The insurgent chiefs then returned to the court-house and immediately prepared a communication to all the municipal captains in the provinces of Cavite, Batangas, and Laguna, inviting them to at once rise against Spain, and stating that their own town of Cavite Viejo was already freed from slavery.

Each one of these communications was sent out by a mounted courier, so that before the expiration of many hours all the towns in Cavite province were informed of what had taken place in Cavite Viejo.

On the following day some of the towns took up arms. At the same time Aguinaldo, in company with many people from his town, marched to Imus in order to attack the Spanish troops who were there. When he arrived in Imus the people of this town at once joined him and they all went to the convent, in which were the friars and the soldiers of the "Guardia Civil." Just as he arrived at the atrium of the church his companions did not wish to follow him, for fear that the soldiers were occupying the church tower. So Aguinaldo advanced alone until he reached the door of the convent. Once here, he called his companions to aid him. But these were not so determined as he was, and only about five responded. When these got to where Aguinaldo was, he commenced breaking in the door, which was soon open. They went upstairs, but they found nobody, since the friars and soldiers had crossed over to the treasury building.

Aguinaldo's companions were now numerous, because the others followed him when they saw that nothing happened to those who went up into the convent; and all of these went immediately to the treasury

building, in which were the friars and soldiers whom they were hunting. When they reached it they found the doors closed, so they could not pass. Aguinaldo ordered the house burned. Those in hiding inside the house were without any other remedy and had to surrender; but meanwhile some of them had been burned to death, among these a lieutenant of the "Guardia Civil." By this victory Aguinaldo succeeded in taking 17 rifles and two 2½-pounder guns.

Such are the first pages of Aguinaldo's brilliant military history; and until it may be completed those seeking further details are referred to the "Historia Verdica de la Revolucion Filipina," or "Truthful History of the Philippine Revolution."

Then, on account of to-day being the birthday of the invincible chieftain and liberator of the Philippines, all the officers and soldiers who are accompanying him on these mountain journeys have come to congratulate him since yesterday evening at 5.30 o'clock; and 25 soldiers have organized a band of music, using as instruments the bamboos, musicong bumbong (sic). Their congratulations were solemn and imposing, because the honorable president, after receiving them affectionately, offered sweetmeats, cigars, and wines to all; and when all had assembled and taken seats, First Lieutenant Bautista read an eloquent address, concluding it by congratulating the honorable president in the name of all. Sergeant Luis Gabes also read an address of similar import. The honorable president answered them both with a single speech, declaring his profound gratitude toward all, and at the same time urging everyone to maintain constancy in the sacred cause we defend, in order to secure the independence of our country.

After the speeches the musicians continued playing. Our animation is immense (sic) because, in spite of our being in the midst of this ocean of mountains and surrounded by them on all sides, this happy day arrived when we all could gather together and give outward expression to our sentiments, which are all converging upon one purpose—the defense of the independence of our country, who finds herself in the claws of an ambitious nation. We prefer to live in these mountains rather than submit to foreign rule.

At 7 o'clock a regular supper was served to the feast makers. After this the music kept up until about 8 o'clock at night, when the audience withdrew, one by one, all quite satisfied.

The 22d day of March dawned with a beautiful sky. At 5 o'clock all the buglers sounded the reveille. All the officers were in full uniform, and the soldiers had on clean clothes. At 10 o'clock all the officers and soldiers accompanying the honorable president in these mountains went to his house to pay their respects to him. At 11 o'clock the honorable president went away with all the soldiers to some woods near the top of the mountain, where, in the midst of shady trees, was a triangular table for 150 persons, which was covered with the richest viands. At 12 o'clock the honorable president and all the officers and soldiers seated themselves at the table.

The following was the menu:

Valencia rice a la good result, spring chicken stuffed with native potatoes, delicious strawberry sauce, suckling pig, stew a la Mauser, apritada, roast beef a la bayonet. Wines, the grand basi of the mountains; fruit of the season; sweets—orange sherbet, thunder jelly.

[TRANSLATOR'S NOTE.—"Valencia rice," rice cooked with a sort of dry meat and vegetable hash, as is done in the province of Valencia, Spain.

"Apritada," no such word; but it is erroneously used here in place of "fritada," a Spanish dish composed of fried meats and vegetables. "Basi," a Tagalog corruption of the Spanish word "basia," an alcoholic liquor which the natives prepare by mixing the milky juice of the berries and leaves of the basia tree with sugar-cane juice and permitting the mixture to ferment. It is a dangerous intoxicant. "Thunder jelly," unknown as a dish, but the term is probably used here in facetious reference to volleys fired by the soldiers at the conclusion of the meal.—J. C. H.]

After dinner all the officers composing the meeting proposed toasts, with cries of "Hurrah" for the honorable president, the liberating army, and independence.

The happy meeting broke up at 1.30 o'clock, all the soldiers having gone away satisfied as far as their stomachs were concerned, but not so morally, because Señor Barcelona, in his toast, told them that as Bulacan soldiers they ought to imitate him who was their general, the valient General Gregorio del Pilar, who died on Mount Tirad while defending the person of the honorable president. As that general was greatly beloved by all his soldiers (the Bulacan Battalion), these on hearing Señor Barcelona's expression were reminded of how he had died, and many of them burst into tears.

About 9 o'clock this morning the honorable president received a report from Captain Villareal informing him that he had left at the barrio of San Juan the 15 soldiers who were accompanying him, and that he and Captain Ramoso will go on to where General Tinio is. He also mentions in his report that at the barrio of San Juan he found Captains Ramoso and Pael with 41 soldiers; that these officers say that the Ilocos provinces are ours, notwithstanding their occupation by the Americans, and that General Natividad and Father Aglipay are in the mountains of Badoc, and General Tinio in the mountains of Kabugao. The report is dated the 13th instant.

May 4, 27.—This morning about 9 o'clock the honorable president received a report from Captain Villareal, dated the 16th instant, in the town of Badoc, province of Ilocos Norte, in which he communicated to the honorable president the sad news of the death of Señor Quesada, provincial commander of Pangasinan, which occurred the 24th of January in one of the settlements of the Tinguianas, in Abra Province. Malarial fever was the cause of his death.

Señor Quesada was one of our companions when we started out from Ilocanbing on November 13, 1899. He continued with us in the mountains until our arrival in Naguilian, where he with Father Aglipay and Señor Celestino Aragon was commissioned by the honorable president to go to the northern provinces and collect war contributions. Since then the said señors have not been with us, and we have never received any news of them until now. Thus died the patriotic Señor Quesada, far from his family, and outside the limits of American jurisdiction, having preferred to live in the mountains until his last breath.

Captain Villareal also mentions in his report that, according to information, General Tinio is neither in Kabugao nor Bulagao, as formerly stated, but in the Narvacan Mountains; but he is not even sure of this last news.

May 4, 27.—About 8 o'clock this morning we received news that in a Bulacan settlement distant four days from here, there are Ameri-

can troops who have come from Abra Province; but we know nothing of their destination. Are they seeking us? How those people do love us!

March 26.—The honorable president, accompanied by Major Gatmaitan, Lieutenant Carasco, and a squad of soldiers, went out this afternoon about 2 o'clock for the purpose of reconnoitering the mountains toward Licuan.

At 2 o'clock this morning the honorable president was attacked with severe gastralgia accompanied with vomiting and cold sweats, but thanks to the administering of remedies, the disease yielded readily at about 3 a. m.

March 27.—The honorable president is completely restored to health. At 8 o'clock this morning we received notice that there are troops in the Guiaang settlement, which is very near our camp, being distant only two hours by road, and we do not know who these troops are. It may be that they are the Americans who were formerly in the Licuan settlement, or they may be Filipino troops. In view of this doubt, the honorable president ordered our sentinels placed on top of the mountain so they may see the newcomers at a distance whenever they approach.

At 12 o'clock this morning the honorable president received a report from Captain Villareal, dated at Kabugao, Ilocos Sur, the 19th instant, informing him that on that date he was still ignorant of the whereabouts of General Tinio, as the Ilocanos had told him that the General was making a tour of the guerrillas. He also makes mention of daily encounters between the Americans and our guerrillas, the results being favorable to our side by reason of the protection afforded by the thickly wooded mountains.

March 29.—The honorable president has decided to descend into the plain as soon as the rainy season commences, in view of the difficulties of travel in the mountains during that season. He also has another motive for doing this, namely, the establishing of his communications; for really, from the time that we fled toward the mountains until now we have remained in complete ignorance of what is going on in the present war.

March 31.—About 9 o'clock this morning there arrived in our camp here in Labuagan 12 of Captain Pael's soldiers, they having come from the San Juan settlement. These brought a dispatch from the captain to the honorable president informing him that he, the captain, had captured a report written by an Igorrote in the Naneng settlement to the commanding officer of the United States forces. This report states that 200 armed Katipunans have arrived at the Labuagan settlement, taking up their quarters there, and are now devoting themselves to assaults, robberies, and murder throughout many settlements, in view of the which the writer urgently asks for American troops for the said settlements in order to expel those Katipunan soldiers. The said Igorrote is the headman of the Naneng settlement, his seal being fixed to the report, which is dated the 15th of March.

Moreover, along with the report of the said Igorrote, whose name is Binuangan, was also a report from two Christians named Jacinto Velesco and Jacinto Baluyan [this last name was first written Antonio Melad and then changed.—J. C. H.], who declared themselves in favor of the Americans. All these documents accompanied Captain

Pauel's dispatch, and are now in the hands of the honorable president, being examined by him.

It happened that the said headman, Binuangan, and several people from his settlement came to our camp about 8 o'clock this morning, bringing a little rice as a present. So, when Lieutenant Carasco handed Captain Pauel's dispatch to the honorable president, the Igorrote Binuangan was present and saw that the honorable president was reading the report he had written for the Americans. He immediately started off, without anyone noticing him, and attempted to escape. As soon as the honorable president was informed of the Igorrote's conduct, he at once sought him; but he had already gone. So he immediately ordered the soldiers to pursue him, and these overtook him after going one kilometer, and carried him to the honorable president. The day of his deserved punishment will arrive very soon.

The honorable president suspects that the two Christians caught by Captain Pilar when he went to Guilayan, on the 16th instant, are the authors of the document which accompanied the report written to the Americans by the Igorrote Binuangan.

APRIL, 1900.

April 1.—Through investigation made by Lieutenant Valentin it became known this morning that the Christian prisoners captured by Captain Pilar on the 16th of March, and who were suspected by the honorable president, are the accomplices of the Igorrote Binuangan, and the originators of the information report which he wrote.

April 2 and 4.—Nothing of importance in our camp at Labuagan. Our meals are greatly improved. There is an abundance of caribou meat and rice, and even chocolate, which we took from these settlements.

April 5.—At 7 p. m. the honorable president received a report from Capt. Gregorio Pauel informing him of his arrival at the Guinaang settlement with all his forces. The honorable president at once sent a reply ordering him to come on here and join us.

April 6.—At 12 o'clock to-day Captain Pauel (Gregorio) and 71 soldiers, proceeding from the San Juan settlement, arrived in this camp for the purpose of joining the honorable president's bodyguard. The total number of our forces is now 168.

Through Captain Pauel, who belongs to General Tinio's brigade, we have now learned that several field and line officers of that brigade have presented themselves to the enemy, the following being a list of those officers: Lieutenant-Colonel Guzman, Maj. Joaquin Natividad, and 25 soldiers under his orders; Maj. Gregorio Santiago, Major Tombo, Capt. Emilio Lorian, Capt. Pedro del Carmen.

Besides these there are many other officers and soldiers whose names he does not now recall.

The aforesaid captain also says that, according to the statement of an American lieutenant, it has become known that Otis has been called home by his Government, and that he is even now en route; also that five American commissioners appointed by their Government will arrive in Manila very soon.

April 7.—After having been tried by an ordinary court-martial on the charge of "high treason against the country," and sentenced to death, Jacinto Barigana, the criminal, was executed this morning at 7 o'clock. After his death the troops marched around him one by one.

The execution took place on top of a mountain ridge some 300 yards distant from our camp.

April 8 and 9.—Nothing of importance.

The honorable president is preparing for a decisive attack on Bangued.

On the afternoon of the 9th the honorable president attended the drilling by the soldiers, and his attention was attracted to a 16-year-old boy among them, who, besides being well versed in tactics, showed by his bearing that he was of noble and refined parents. The honorable president, unable to resist his affection for the boy, had Major Gatmaitan called, and then asked him who that boy was. The major told him that the boy was a son of the lawyer Ventus, of Nueva Ecija Province, who was shot by the Spaniards during the revolution of 1896. Then the honorable president at once sent for the boy, who did not delay in presenting himself, and asked him who he was, and how and by what means he had entered the army. The boy replied that his name was Paquito Ventus, a son of a man shot by the Spaniards; that his father was a paralytic years before the misfortune; that his mother had also been dead some time; that he had eight brothers, but five of these were minors like himself; that impelled by the profound grief under which he was suffering he entered the Filipino ranks of General Tinio's brigade; that his present rank was that of a corporal; and that during a fight with the Americans in Ilocos he was on the point of being captured, but owing to the fight taking place in the mountains he had been able to escape by climbing up among the precipices.

When asked by the honorable president if his ideas were firm and inflexible, he replied that he would prefer to live and die in these mountains rather than submit to foreign rule. The honorable president immediately ordered the captain of the company to strike Ventus's name off the rolls, as the honorable president would take charge of him. Since then Ventus has been in the honorable president's quarters, being well treated and considered as a veritable son.

April 10 and 11.—Nothing of importance.

About 11 a. m. the 11th instant a soldier from Bangued Abra Province arrived in this camp, bringing a dispatch addressed to General Tinio. Through this soldier we have learned of the continuous victories of our guerillas in the Ilocos provinces. The newly arrived soldier also states that Captain Villareal, who is on a special mission, has now found General Tinio.

About 1 o'clock at night the honorable president received a report from General Tinio informing him of his arrival at the Guinaang settlement, and saying that early to-morrow morning he will resume his march for this place.

April 12.—Major Gaitmaitan, Señor Villa, Lieutenant Carasco, and all officers off duty started out with the honorable president's cavalry at 8 o'clock this morning to meet General Tinio. After going some five kilometers they met General Tinio.

After an affectionate greeting they all went to the honorable president's camp. General Tinio was accompanied by Lieutenant-Colonel Zalazar, Captains Villareal and Ramoso, and an escort of 25 soldiers. At 12 o'clock the honorable president received the newcomers, and all the officers had a regular dinner.

General Tinio told the honorable president about the victories won

by his guerillas. He also gave him the sad information that Colonel Leyba had been assassinated, though he does not know whether it is true or not.

At 5 p. m. the honorable president received a letter from Don Julian Gerona, informing him that he and Don Pedro Paterno are in the Benguet settlements, and under the protection of Señor Carino.

April 15.—The honorable president gave a splendid luncheon in honor of all the forces that are now in our camp, and many officers proposed toasts.

April 16.—At 3 o'clock p. m. General Tinio, with all his escort, left this camp to return to his own field operations.

April 19.—At 7 a. m. the honorable president ordered two sergeants of our column to be deprived of their insignia for having played monte last night. The degradation was duly carried out.

About 9 o'clock this morning the honorable president received a report from General Tinio informing him that Captain Calvo's guerillas had had an encounter with the Americans in the town of Lapo, Ilocos Sur, capturing from the enemy a convoy of four mules. We had one man slightly wounded.

April 21.—At 7 a. m. Lieutenants Luna and Alejandrino, with 25 soldiers, started out from this camp for the neighboring settlements to get rice and anything else that is eatable.

April 22.—It was discovered this morning that the honorable president's personal servant had escaped last night, carrying away with him a Remington carbine, 40 cartridges, clothing, and other things. This servant is an Igorrote, a native of Banane, and has been serving the honorable president since we were in that settlement.

April 23.—At 7 this morning the honorable president, accompanied by Señors Barcelona, Gatmaitan, Carasco, and a squad of cavalry, set out to reconnoiter the roads leading to the settlements of Guinaang and Balimbing. At 8 o'clock at night Señor V. received a telegram (sic) from the honorable president, stating that they had arrived in Guinaang without incident, and that they would spend the night there.

April 24.—About 2 p. m. Señor V. received a hasty note from the honorable president, stating they had left the Guinaang settlement and were then in the Balimbing settlement, which they would leave between 2 and 3 p. m. on their return to this place. About 5 p. m. the travelers arrived here, quite satisfied.

April 25.—During the night of this date Private Gregorio Carpio, a native of Bigaa, Bulacan Province, who was a member of the First Company of the Bulacan Battalion, died from the effects of malarial fever.

April 26.—At 8 a. m. the honorable president, accompanied by his cavalry, went out to the outposts to direct the construction of the trenches that are being built. He spent the entire day there. At 3 p. m. Señors Villa Barcelona, Lieutenant Catinding, and some of the cavalrymen went out to meet the honorable president, finding him near the trenches.

April 29.—The honorable president received a dispatch from General Tinio inclosing a list of the officers who have deserted from his brigade.

April 30.—V. is sick, and has been so for the past four days.

MAY, 1900.

May 1.—At 3 a. m. the honorable president received a report from Guinaang settlement to the effect that some 100 Americans are en route here to attack us. This news was confirmed about 5 o'clock in the afternoon by two letters; one from Dolores and the other from Balbalasan, both of which state that the Americans are going to attack us.

May 3.—We received news that the Americans, learning of our superiority over them in numbers, returned to Bangued, perhaps fearing that their plans would result in failure.

May 6.—The honorable president received a report from Major Pael saying that according to the Igorrotes there are 100 Americans in Bontoc, a settlement four days' distance from here.

Work on our trenches is being pushed forward.

May 7.—At 8 a. m. the honorable president received a dispatch from Senor Juan Villamor, in Abra Province, informing him that 100 Americans had left Bucay bound for our camp at this place, Labuagan, and that according to the bearer of the said dispatch these Americans were yesterday in Labaan, a settlement near this one.

With the presence of those Americans in Labaan and another 100 in Bontoc, it is clear that the Americans desire to surround us on all sides in order to capture the honorable president.

The honorable president has decided to make a stand in this camp against the Americans, and for this reason the work on our trenches is being urgently carried on; but in case of our being unable to withstand the advance of the enemy, we will hide in one of the thick woods of these mountain heights.

May 9.—At 6 a. m. the honorable president received a report from Maj. Juan Villamor, of the Abra Guerilla, saying that the hostile column en route to Labuagan having been beaten by his guerrillas, was forced to return to Abra the 5th instant with some wounded soldiers.

We also have private information that there is a column of 100 Americans in the settlement of Banao and Balbalasan near here.

May 11.—About 5 p. m. the honorable president received several letters and dispatches from General Tinio informing him of the victories of his guerrillas, and also of the fact that Lieutenant-Colonel Cavestany had arrested Vicente del Prado, principal commanding officer of the Pangasinan "guards of honor."

The honorable president also received a letter from Manila informing him that 17 wagons had been captured by us in Laguna Province and in Silang, Cavite Province; each of the wagons captured in the first province contained \$5,000 in gold, while each one of those captured in the latter province contained \$7,000 in gold, and also ammunition and food supplies. The letter also states that on the date it was written, the 9th of April, the honorable president's family continued living in the Leyba house, and that a representative of Englishmen, Germans, and Catalonian Spaniards went to Manila, conferred with several of our fellow-countrymen, left for Washington for a conference with McKinley, and afterwards returned to Manila for a conference with the honorable president of the Philippine Republic.

About 9 o'clock at night the honorable president received a report from Major Villamor informing him of the latter's presence at the Balbalasan settlement, and that he will keep up his reconnoitering until

he arrives here. He also states that those points are free from the enemy. As a consequence of that communication tranquillity again reigns among us.

The honorable president has decided to prepare during these days a manifesto, entitled "To the Filipino people," which will soon be published.

May 13.—About 2 o'clock in the afternoon the honorable president received a verbal report from an Igorrote to the effect that there are soldiers in the Naneng settlement, but it is not known whether they are Katipunans or Macabebes. Captain Pael and 50 soldiers were ordered to go and find out who they are.

The honorable president about 3 p. m. went out to inspect the outposts. His cavalry and Lieutenants Carasco and Bautista accompanied him.

About 4 p. m. Senor Barcelona received a private letter from his friend Villamor informing him that there are rumors in circulation in those settlements (Balbalasan) to the effect that many Americans are coming to attack us. He also says that, as for himself, he and his guerrillas will obstruct the coming of the enemy.

Here comes alarming news almost before we have had two days of tranquillity.

May 14.—The honorable president received several letters from Manila. A letter received by Senor B. from General Tinio made known the fact that the honorable president's only son had died in Manila from the effects of the smallpox.

The honorable president's mail for Manila and foreign countries left this afternoon about 5 o'clock, together with letters from persons here to their respective families in Manila.

May 16.—Our special commissioner in Abra, Captain Villareal, arrived at 2 o'clock this afternoon and informed the honorable president that at the Balbalasan ranch he had received trustworthy news that the Americans with a vanguard of 60 men and a rear guard of 200 were coming to attack us.

Every puff of wind seems to carry in suspense news about the coming of the Americans.

May 17.—Just as the honorable president awoke this morning at 6 o'clock he found an Igorrote of this settlement, who told him that in Sumader, a settlement distant one hour from this, there were Americans en route here. As soon as we were aware of the presence of the Americans in Balbalasan we knew that their plan was to shut us in on all sides for the purpose, perhaps, of capturing the honorable president. He, on receiving this news, at once sent a courier to Sumader to see if the Americans were already there.

The men returned at the end of an hour and told the honorable president that the Americans were eating breakfast when he left that settlement.

The honorable president thought of making resistance, but as he did not have sufficient forces for that, nearly half of our soldiers being sick, he deemed it expedient to abandon the camp. In fact, at 8 a. m. we left the settlement, following the route to Guinaang, in order to gather up some of our soldiers on duty there.

We reached the guardhouse of the first outpost at 10 a. m., and halted here to observe the movements of the enemy. At 10.30 Major Gaitmaitan arrived, having come from the trench on top of the moun-

tain ridge facing Sumader, and said that he left Lieutenant Morales and fourteen soldiers in that trench.

At about 11.30 Lieutenant Morales arrived with his soldiers. He reported that the enemy did not reach the trench, but flanked it to the left, and had succeeded in going as far as Cuabuntot, a settlement on the other side of Labuagan, and distant from it only one hour. Being unable at this moment to further avoid the coming of the enemy, the honorable president ordered that we should continue the march for Guinaang, which we reached at 1 p. m.

This morning the honorable president did not know how to carry our sick soldiers who, on account of the seriousness of their condition, can not walk. He found no remedy except to give instructions for them to be left behind. Accordingly, he particularly charged the head man of the settlement to take good care of the soldiers who are going to remain, saying that he and all the people of his settlement will have to answer with their lives for these sick men. The honorable president delivered money to the head man of the Igorrotes to buy food for the sick soldiers, and he also gave \$3 to each one of the latter. It can not be imagined how sad and desperate they are, through fear that the Igorrotes may have a "kanao" feast at their cost. But these can not follow us, because they are too weak to walk. Divine providence will protect these defenders. After eating, at 2 o'clock p. m., we left Guinaang, passing through thick woods on the mountain ridges, and going up and down among these.

At 3.30 we arrived at the Pugon settlement and kept up the march, continually descending and ascending, toward Magsilay, which we reached at 5 o'clock. Being unable to spend the night there on account of the nearness of the enemy, the honorable president gave orders for us to go on till we reached the next settlement.

We kept on. But daylight was already disappearing. We were traveling very slippery roads, and at every minute could be heard the sounds of soldiers and officers falling down. We ascended a very high mountain, several of our pack horses falling down its sides into the precipices and becoming utterly useless. In spite of the painfulness of the journey, we kept on climbing till we reached the top, everyone being exhausted, wet with perspiration, and so out of breath that he could not pronounce a single word. The top once gained, we followed the direction of the mountain ridge. Night came on, and the darkness was so intense that we were unable to recognize one another. Besides the road being very slippery, it was very narrow, crossed by thorny trees, and close to deep precipices, which appeared to be only waiting to receive some lives into their depths. But with our five senses we gave all our attention to our walking. Nevertheless, some of the pack horses became victims of the precipices.

We reached the place where we had to begin descending the mountain ridge. The road was so steep that it seemed to be vertical. Many of us taking a step had to prolong it for 50 yards—that is, we fell and rolled over and over like a ball. Thanks to the thick branches of the trees covering the mountain ridge, as they defended us from the precipices and counteracted the diversions (sic) of falling.

Nine o'clock arrived and the light of the moon enabled us to see. Though the moonlight scarcely penetrated the interior of the mountain ridge, owing to the bushes and trees, yet it was of great assistance to us.

In spite of the difficulties of the road and the great number of falls, we kept the march without halting, until at 11.30 p. m. we reached the foot of the mountain ridge, where the Cagaranan settlement is located.

We ate supper at 12 o'clock and then went to sleep. It should be noted that the greater part of our soldiers had not yet arrived, as those constituting the vanguard (sic) arrived about 3 a. m.; and also that First Lieut. Alberto Bautista left this morning for Cagayan Valley, having been specially commissioned by the honorable president to establish the Katipunan society in those regions.

May 18.—Everybody got up at 6 o'clock to resume the journey. About 7 o'clock, when everybody was preparing to start, an Igorrote arrived from Labuahan informing the honorable president that the Americans, after firing a number of volleys into the settlement without seeing anybody—since all the people had hid out—burned all the houses in the settlement, and marched off in our direction. He also said that on the morning of this date the Americans were at Albig settlement, very near us, being at a distance of only one and a half hours' march. He said that number of the enemy amounted to 1,000.

This information caused us all great terror, not only on account of the large number of the enemy, but also because they had been able to close all the passes everywhere, and had already come on to attack us. The honorable president at once gave orders for a hurried march, and almost flying we left the settlement. We soon came to a river having a violent current; we crossed it by swimming. But in order to reach the Dupay settlement, which was our destination, there was no other route except the one along the river, which has a snake-like course. So we had to ford the river as many times as it has curves, which can not be less than 20, and at all these fords we had to swim.

We got to Dupay about 10 o'clock, and immediately continued on toward the Naneng settlement, traveling always along the river and swimming it because of its great depth. We reached Naneng at 1 o'clock in the afternoon. We ate luncheon, and at once resumed the march for the Tabag settlement. At this time Major Gatmaitan reported to the honorable president that a soldier of ours named Salazar had disappeared, he having been drowned in the river. We kept on marching.

We came to a river which, besides being very wide and having a violent current, was too deep. No one would venture to cross it for fear of certain death. In this predicament the honorable president, on seeing that the river could not be crossed in any manner, changed the course of our direction, and gave orders for us to make for the Asibanean settlement. We turned then and took the road for that settlement, commencing to ascend high mountain ridge, and walked without stopping till 6 p. m., when night came on. Observing the fatigue of us all, the honorable president issued instructions for us to spend the night in that place, which was a thick woods.

We supposed at that time that if the Americans had followed us, they must have suffered personal misfortunes similar to ours crossing the river, and that they were then in Naneng.

May 19.—We passed the night without incident, the soldiers having slept among the patches of "cogon" grass.

At 6.30 a. m. we left the place, and taking up the march commenced or rather continued ascending the mountain ridge. After we, who were with the vanguard, had walked a mile or two, the honorable

president noticed that the soldiers forming the rear guard were missing. He immediately ordered a halt and made a search for the rear guard, which in reality had become lost in the thick woods, having taken another direction. He then ordered the bugle sounded, so the rear guard might know we were waiting for them. But the surrounding mountain heights prevented them from hearing the bugle, and so they kept going. The honorable president at once sent a section of soldiers to hunt for them while the vanguard waited. After we had waited two hours the lost soldiers of the rear guard arrived.

As soon as we were all together we once more struck out on the march, continuing the ascent of the mountain. We were still a long way from the top. There was no road, and so we had to open one for our own passage. It was so steep that every moment we saw our pack horses fall into the precipices for want of having sufficient strength to ascend.

Hours passed by, but on our all fours we climbed upward without halting until we reached the top, at 1.30 in the afternoon. At this moment a heavy shower of rain began falling. The honorable president did not wish to rest on this peak lest night should overtake us. So we continued the march, descending. The road had become more slippery on account of the rain. Many of us on taking a step had to prolong it for a hundred yards or so by rolling. All the soldiers were wet, and the cold was causing them intense suffering.

The hours of 3 and 4 p. m. passed and still we had not reached the foot of the mountain. The march was forced at every step for fear that night would overtake us on that mountain ridge, where "limatics" abound.

At 5.30 p. m. we found ourselves at the foot of the mountain, where there is a river filled with large rocks. We traveled the river for some 500 yards, and commenced ascending another mountain ridge, which, although it was yet day, was very dark in its interior on account of the luxuriant trees growing there. Amid great difficulties we forced the climbing until at 6.30 o'clock we arrived on the summit, where we found many houses abandoned by the Igorrotes. It was the Sanga settlement. We took up our quarters in these houses for the purpose of spending the night.

By this time only a few of the soldiers had rice, so the majority devoted themselves to hulling rice for supper.

May 20.—Everybody woke at 6 a. m. The honorable president, on seeing the exhausted condition of the soldiers, gave instructions for us to remain here. He also had in view the procuring of rice for the consumption of us all.

At 1 p. m., when everybody was provided with rice and our clothing quite dry, we set out for Isabanban, a neighboring settlement, which we reached after one hour's travel. This settlement occupies the top of a mountain ridge, and is higher up than the former settlement. The honorable president without resting immediately set out to reconnoiter our position.

This afternoon the honorable president learned through an Igorrote that the fourteen sick soldiers left at Labuagan had been shot by the Americans on the arrival of these at that place.

At 4 o'clock the honorable president had not yet returned from his reconnoitering. About 4.30 Señor Villa, who had remained in the settlement with the troops, received a report from Lieutenant Alejan-

drino saying the Americans were moving on our camp in skirmish formation and were some 200 yards distant. Señor Villa, ordered everybody to march, and he himself rushed forward in search of the honorable president without knowing where he had gone or where he was at that moment. But Villa went up toward the top of the mountain ridge where he thought the honorable president was. He actually did find him on the top, and informed him of the enemy's presence.

Behind Villa came the soldiers. Scarcely ten minutes passed before the enemy opened up on us with their volleys. Our rear-guard soldiers returned their fire in order to hinder them from advancing rapidly. The honorable president and his cavalry escort retired ahead of us; but the enemy's bullets traversed the whole length of our column, as the firing was at short range, perhaps only 200 yards. The soldiers of the first and second companies of the Bulacan Battalion looked after the safety of the honorable president, and by their bravery prevented the enemy's advance until he got away. In this fight our casualties were: Second-Lieutenant Morales killed, two soldiers wounded, and Lieut. Lucio Valentin of the sixth company and some soldiers of the same missing.

It was 6 o'clock. We continued the march toward the Guday settlement. On arriving there our horses could go no farther, owing to the road being impassable. The enemy was pursuing and firing at us. There was no remedy except to abandon our horses; and so we really left them all. We passed on through the settlement, and in a place near it the honorable president gave orders for us to wait for our soldiers. The night was very dark. After waiting for half an hour the soldiers of our vanguard arrived. We then followed the route toward the next nearest settlement, passing on top of the mountain ridge.

After going a little over a quarter of a mile we saw that many lights with electrical points were coming from the settlement to which we were en route; and we at once supposed that there was another hostile column coming to meet us, with the intention of shutting us in. The honorable president ordered us to make a detour to the left, so as to get out of sight of the enemy, and we did so immediately.

The night was intensely dark. By the thorny branches of trees which wounded our bodies we perceived that we were in a very thick woods, and we went into its interior. But unfortunately we found we were on the edge of deep precipices, and hence many of us fell into them. On account of the darkness our soldiers had disappeared in small groups of from four to five individuals, there having remained with the honorable president only 19 soldiers and Senores B., V., Jemel, Carasco, and two other officers.

From the interior of the woods we were observing the lights, but as they approached we saw that they were following our footsteps and drawing nearer every moment. So we went out by the other side of that woods and took a direction to ascend to the top of another mountain ridge, reaching it after one or two hours' walking. From this peak we observed that the lights were still pursuing us. Then we continued the march and entered another woods which had an ascending direction. In proportion as we entered its interior we not only suffered from wounds made by the branches of trees across the road, but also from the fatigue consequent upon climbing. As soon as we were hidden in the woods we rested for a little while. It was 11 o'clock at night.

At 12 o'clock the honorable president gave orders for us to leave that point in order to get beyond the military lines of the enemy. So we resumed the march, but everybody kept silent, in order to prevent discovery by the enemy. We ascended and descended several mountain ridges. Hours passed by, and still we hastened the marching, in order to get far away from the enemy.

May 21.—Daylight dawned, but we continued our journey. At 4 a. m. we found ourselves in an uninhabited settlement, and here we cooked a little, each one eating half a mouthful.

About 6 o'clock we again struck out on the march. We went down into quite a deep gulch, at the bottom of which we found a stream. At this point the honorable president vacillated as to what route to take, as we did not know what direction we were following; and fearing that the enemy would coup us in this place or in the stream he decided to go back and take another direction. When we were about to ascend the mountain ridge our soldiers saw on its top other soldiers, whom they suspected were the Americans pursuing us, but the honorable president, serene in his ideas, did not wish to go back, and hence waited to see those soldiers with his own eyes. Then it was discovered by him that they were Captain Villareal and nine soldiers coming in search of us. The captain having again joined us, we learned that he, not knowing the direction we took on the night of our separation, had deemed it best to go toward the east, and thus had reached the place where we met him.

After half an hour's conversation we ascended to the top of the mountain ridge, passed down the other side, and ascended a still higher ridge. After descending it we found a settlement, but we kept on marching without halting.

At 10 a. m. we found another settlement, but in our desire to get far away from the enemy we marched on without a halt. We came to a river, and followed its course. About 11 o'clock we reached Tuctuguino settlement.

As we had eaten nothing since the previous night, the honorable president gave orders that we should take dinner at this settlement, and so everybody set in to cooking. When dinner was about ready the honorable president suddenly received a report from a sentinel to the effect that the Americans were in line of skirmishers about 100 yards away, then without having been able to eat, we hurriedly left the settlement.

It was 12 o'clock in the day, and the sun was scorching hot. We ran up into a high mountain range. Once on its top we encountered a still higher ridge, which we ascended. During this running Señor Barcelona, for want of strength to withstand the fatigue, frequently fell in a faint, with complete loss of consciousness and power of speech. Owing to the lamentable condition of that patriot, the honorable president ordered a rest for a while on the top of the ridge. Thereafter one hour and a half * * *

[TRANSLATOR'S NOTE.—Here ends the second "volume," but the unfinished sentence is carried over to the third "volume," on the fly leaf of which is written, mostly in cipher, the following: "August 13th a dream. Rest in peace 1900—two teeth. August 13, 1900, I dreamed at night that I had lost two of my upper jaw teeth, and according to old people this signifies the death of parents or relatives. During the night of November 1, 1900, I dreamed that I had lost a back jaw tooth.

came out through my throat. November 26, 1900, I dreamed had lost a back jaw tooth, the outside covering being separated. Number 1, 1900, outside half of upper eye tooth. January 3, 1901, of my father, I being present." Then, commencing on first proper of "volume," third of the diary, the unbroken narrative as given below.—J. C. H.] * * * of rest, Señor Barcelona recovered consciousness and we again set out on the march, going down quite a deep precipice.

When we had scarcely gone a quarter of a mile, and while still in woods, we suddenly heard the volley firing of the enemy near by. It was at 2 p. m. The firing came from three points; that is, it came from three large hostile columns, who were occupying the top of mountain ridges surrounding the precipice where we were. From the tops the enemy were descending into the precipice and bringing to bear on us a converging fire. But we did not answer it, as we numbered few, scarcely having thirty guns. At this critical moment destruction came over us. As we saw no opportunity of getting out, and no hope of our salvation, there only remained to us the tenacious habit of defending ourselves unto the death, rather than surrender.

Divine Providence desired to conduct us to a stream at the bottom of the precipice, and we arrived there. It was 3 o'clock in the afternoon.

The converging advance of the enemy drew nearer to us. We were saying among themselves, of course, that their victory was assured, and that the capture or death of Aguinaldo was evident.

We were ignorant of the direction of the stream in which we found ourselves, but the honorable president deemed it well for us to follow the stream to see if there was really any chance of escape. All of us followed the course of the stream, and at the end of half an hour discovered that it emptied into a river called Buaya. The mountain which the enemy had corralled us now lay to our rear. We at last forded the river. According to the guide's statement it was full of crocodiles, but that made no difference. We got across, and, without halting, followed its course.

At 5 p. m. a heavy shower of rain commenced falling, and the cold water did us great suffering. Traveling in the water was very troublesome.

But we cared nothing for all this so long as we did not fall into the hands of the enemy.

We reached a point of the river where the mud was nearly waist deep and everybody passed through it with great difficulty. At 7 p. m. we rested on the bank of the river, as all of us were quite exhausted from the effects of hunger, fatigue, and loss of sleep. Though saturated with water, we all threw ourselves down on the mud-soaked bank of the river and immediately went to sleep.

At 12 o'clock the honorable president ordered the continuation of the march. We then commenced ascending a very high mountain.

Once on top of it we followed the range toward the east. The mountains passed by; but we kept on traveling without a halt, all of us exhausted, including the honorable president, for nobody had a shoe. No light came.

July 22.—We were already far from the Americans. We ascended mountain ridges going toward the east, that is, toward the Cagayan Valley, until about 7 a. m., when we found a stream. From this point our guide was acquainted with the different trails leading to

Cagayan, and hence we traveled without vacillation. On leaving the river we encountered an extensive plain, on the right-hand side of which were the mountain ridges we had just left.

During two entire days we had eaten nothing, and hence hunger, the fatigue of continued marching, and loss of sleep had exhausted us. Our guide told us that after 12 hours more marching we would reach the Magapasi settlement, where we could get food. Since there was no other remedy but to go on, we struck out on the march at 7 a. m., passing through that plain in the direction of Magapasi. Our bodies becoming more vigorous, we were forcing the marching.

About 11 o'clock we came to a river. The honorable president could walk no further, because he was sick and faint on account of hunger and his strength had given out. At this moment all of us, including the soldiers, felt these same troubles, and no one could travel any more. Owing to this lamentable state of affairs we all sought tender herbs, which we ate. The most palatable of these and hence the most consumed were the "paco" herbs and the guava shoots or buds. When we had all filled ourselves with these herbs we resumed the journey, paying no attention to the heat of the sun, and our marching was more rapid on account of its being through level country.

About 12.30 o'clock, on reaching a river near a mountain ridge, we observed a number of armed men on the top of the ridge. Viewed through the glasses they appeared to us to be wearing black shirts, but when we saw them deploy as skirmishers in our direction we were quite convinced that they were our enemies. So we had to come back and abandon our trip to Magapasi. We then turned off the left to ascend a mountain ridge which we saw, having left the Fifth and Sixth companies to protect the retreat of our honorable president, who before his leaving placed the soldiers in good strategical positions. The honorable president also gave instructions to the captains of the said companies relative to the direction in which they should retreat in order to find him.

After marching for an hour we saw one of our soldiers following us, and calling to us. Then we waited for him. When he arrived he told the honorable president that the soldiers we had seen deploying as skirmishers on the mountain ridge were our soldiers of the First Bulacan Battalion who had separated from us on the night of the 20th. We returned at once. Great was our pleasure on meeting our soldier companions of the rocks. After chatting for an hour we resumed our former direction toward Magapasi. This was at 2 p. m.

We marched without halting until 5 p. m., when we arrived at Magapasi. But what was our surprise on seeing that in the next settlement, Tabog, 200 yards distant, there were 300 Americans waiting for us. In order to avoid our being coupé up, the honorable president gave orders at once for two soldiers to ascend to the top of a high mountain ridge, which was near us, so as to act as sentinels. Meantime we saw the Americans in our front do the same thing, they, perhaps, believing that we had come for the purpose of attacking them. Night was coming on. Our soldiers and the Americans only gazed at one another at a distance without firing their guns. We were in the middle of an extensive field; on its right-hand side were mountain ridges and on the left the beautiful towns of Cagayan Province.

The American soldiers and ours stood face to face with their guns but silent. At 6.30 p. m. we left the settlement without having eaten

anything, for we found nothing there but Americans. We then went back by the route we had come for there was no other road or pass. Here the military cordon of the enemy was well extended and once more we found ourselves in its center.

The honorable president did not know what to do, because in front of us were the 300 Americans at Tabog, forming a cordon; on our left 10 more Americans from Tuao, who were also in cordon, and to our right and rear were the 4,000 (sic) who were pursuing us and who had surrounded us among the mountain ridges. How were we to save ourselves? While we were going back along the road we had come, the honorable president, Señors Villa, Barcelona, and Pilar were engaging in a discussion as to what direction we should take, and whether we should be able to get through the hostile military lines. Each one was meditating on what should be best. Finally, as there was no time for so much discussion, the honorable president said that it would be best for us to simply hide in the thick woods in those places, and that from then on we would travel no more by day, but only by night, so as to avoid being discovered by the Americans.

About 5 a. m., after having marched continually throughout the night, we found a thick woods among some small mountain ridges.

May 23.—We went into the woods. After getting quite a distance inside the honorable president selected a place for us to rest. At 8 a. m. we all lay down on the ground and were sound asleep in a few minutes. This made the fourth day we had eaten nothing but herbs. Neither had we slept any or rested. Hence our faces were cadaverous, our complexions pallid, our eyes hollow, our cheeks shrunken—a fact, there was a complete debilitation of the body, attended with profound physical and mental prostration.

During the whole of this day the greatest silence prevailed among us in the interior of the woods, and we slept the entire time; but we ate nothing, for we had no food supplies.

At night when it was quite dark we left the woods where we had been hiding, and set out for another woods more suitable for concealment. Although we had caught up on sleep the hunger had caused us faintness and giddiness. After walking continuously all night, at about 5 a. m. we found the woods we were seeking.

May 24.—We went into the interior of the woods, where we found some Igorrotes. We begged them to bring us some cooked rice, in consideration of being paid whatever price they might desire. Indeed, after two hours they returned, each one bringing us a little cooked rice in packages containing about a fourth of a pint, and exacting 50 cents for each package. On account of our situation we had to pay the price demanded for the rice; and all of us bought some, the Igorrotes selling about \$200 worth out of the two or three jars of rice they had brought us.

We spent the day hiding in the interior of the woods, with our stomachs full but our bodies still weak. At 7 o'clock at night, when it was quite dark, we resumed our journey, leaving the woods and taking the direction for the Magaogao settlement, to reach which it was necessary to cross three rivers. As they said it was deep, we looked for a place where it was fordable. Our guides led us toward the south along the river. The current being somewhat swift, we lashed ourselves together in order to ford the stream. As soon as we crossed over, we struck the second river. Tying ourselves together, we immediately entered

it, but as the velocity of its current was somewhat greater than that of the previous river many of us were swept away; however, everybody was saved.

We struck the third river half an hour later. The noise made by its current was sufficient to make known its terrible velocity. Being strongly lashed together, we threw ourselves into the river, which they say is infested with alligators. The strength of the current was estimated at being equal to that of 20 horses. We resumed the march as soon as we got across, having only lost—thanks to God—the honorable president's rifle.

We entered the Magaogao settlement, where they told us were 30 Americans. It was now quite 3 o'clock in the morning, and we passed through the settlement in absolute silence and at a rapid gate, so as not to be seen by the enemy. After passing the settlement, we ascended a mountain ridge. As soon as we reached its top, the honorable president counted the men in order to see if all were present. It was found that Lieutenant Dayao and 9 soldiers were missing. When the honorable president inquired as to what had become of them, some soldiers answered that they thought the missing companions had been drowned, as with their own eyes they had seen Lieutenant Dayao and the 9 soldiers in question swept away by the current while we were crossing the last river.

May 25.—We had no other remedy but to continue the march, and we at once resumed our journey, lest daylight should overtake us on the road.

Then we ascended the mountain ridges which were in our front, and never halted. When 7 a. m. came, found ourselves far from the settlement and in the midst of mountain ridges. Our guide led us to a river and we went down into it. The honorable president saw that according to the compass he was carrying we had made a mistake as to the road, and our guide himself then became aware that we had lost our way. We then returned and hunted for the trail leading toward the east, but it was 11 a. m. before we found it and resumed our course.

After walking three or four hours we again lost the trail; but we were then in a thick woods. We rested here a little, and about 4 o'clock p. m. we resumed the march, passing through the interior of the woods. Afterwards we ascended a high mountain ridge and followed its range. The moon being bright, we were able to see the trails of the Calingas, along which we traveled without halting until 9 o'clock at night, when, on account of our complete exhaustion, we could march no farther. The honorable president gave orders for us to rest where we were on top of the mountain ridge. Having had nothing to eat but herbs alone to satisfy our hunger during the past five days, we immediately went to sleep. All of us slept among the cogon grass which covered the mountain ridge.

May 26.—Everybody got up at 5 o'clock in the morning, and we at once set out on the march, reaching the last mountain ridge after walking for three hours. As soon as we had traversed this the extensive Cagayan plains came in sight, and we descended from the mountain ridge at 10 a. m., placing ourselves in a thick woods. Here we found a herd of cows, the shepherds of which at once carried us on toward their houses, we forcing our marching in order to get something to eat. We reached the house at about 11 o'clock. The honorable presi-

immediately ordered two cows slaughtered for our food. There was no rice, but that made no difference. As soon as the cows were prepared each man grabbed what he could, baked it on the fire, and ate as fast as he was able.

Although there was an abundance of meat, our hunger was not satisfied owing to the absence of rice and salt. Then, on the following day we observed that we were all weaker than before, and the majority had intestinal inflammation.

July 27.—As the enemy would have been able to surprise us in that case, the honorable president ordered us to move over into a woods at the foot of the mountain ridge. So at 7 a. m. we set out for the woods, arriving at 11 a. m. Having no rice to eat we fed ourselves on beef, as we had done on the previous day, without using salt. Throughout the day we slept on the ground in this piece of woods.

About 6 o'clock, when night was approaching, we left the woods, returned to the house of the shepherds, and about 8 o'clock at night resumed our journey toward the mountains of Madulason.

After having traveled all night long without a halt we reached Madulason at 9 o'clock in the morning.

July 28.—At the foot of this mountain of Madulason is located the town of Enrile, being separated from Tuguegarao only by a river. In order to celebrate his rejoicing on this day, the honorable president ordered Señor Villa to go on to the town for the advance and preparation and other necessary things for the celebration. Señor Villa is known throughout the Cagayan Valley on account of his having been provincial governor of Isabela Province for nine months, and when as he reached the town he assembled all the patriots in order that they might assist him. The house having been prepared, he sent invitation cards to all his acquaintances, male and female, requesting them to take part in the celebration that very afternoon. Two bands and an orchestra came. At the same time he arranged sentries at all points of the town where the enemy might enter.

When everything was made ready Señor Villa returned about 12 o'clock to the house where the honorable president was, in order to get him. At 12.30 the honorable president and all his escort entered the town, being welcomed by a large crowd of people during the playing of our national anthem. In the house were more than 60 dancing young ladies to compete with the aristocracy of Tuguegarao and Enrile. Dancing commenced 5 o'clock in the afternoon and lasted until 3 in the morning.

July 29.—At 3.30 in the morning the honorable president and all his escort left the town. Without returning into the mountains of Madulason, whence we had come, we took the straight route for the next settlement, passing through those extensive fields of Cagayan. We reached the settlement at 10 a. m. After eating a light luncheon, I went to sleep until 3 p. m.

After the celebration yesterday we learned that the Americans who had attacked us in the mountains were still staying there and hunting for the honorable president, because they say they have him corralled, and being able to hide himself on the mountain ridge in a piece of land that has no outlet—hence he would be caught very soon. Such was the news circulated by the enemy in the town—and yet at that time we were dancing in the town.

We left Aroma at 5 p. m. and took the route for Agob, a barrio of Agaña Nuevo. It being too far to the barrio, we had to sleep in the

field, as we only traveled till 2 a. m. We slept among "cogon" patches.

May 30.—We resumed the journey at 5 a. m., and at 9 a. m. we reached a woods near Agob. We went into the interior of this and passed the day there. About 4 p. m. we left the woods and started for the barrio itself, reaching it at 7 o'clock in the evening.

The honorable president desired to give a still greater blow to the enemy who, up to this date, were continuing their hunt for him in the mountain ridges where they had had us corralled, they believing us to still be in hiding there. So he ordered Señor Villa, with 36 soldiers, to attack the enemy's garrison in Cabagan Nuevo, Isabela Province, that same night about 2 o'clock. In this attack the enemy had 3 men killed and 9 wounded. On our side we had 3 men wounded; and one of the residents of the town was killed by a stray bullet. On the same night our guerrillas attacked the garrison at Maluno and Tumauni. In the first town the enemy suffered a loss of 9 burned to death and 3 wounded, and we had 3 wounded. In the second town the enemy had 2 men wounded.

May 31.—Fearing that the enemy would be largely reenforced on account of the attacks made by our troops on the previous night and also because Agob barrio is very close to the town, the honorable president gave orders for us to return into the same woods. So at 5 a. m. we started for the woods, and on arrival went into their interior.

JUNE, 1900.

June 1.—We remained in the interior of the woods. We received the news that many hostile reenforcements had arrived in the towns attacked.

June 2.—At 5 a. m. we left the woods and directed our march toward the Aeta settlement of Bagui, arriving there at 10 a. m.

June 3.—At 6 p. m. we left Bagui and took the direction for the Banluco settlement. It not being possible to arrive there that same night, owing to the exhausted condition of the soldiers, we halted at 12 o'clock and slept in a patch of cogon grass.

June 4.—It was discovered this morning that our guide had escaped during the night. At 7 o'clock we resumed the march, guessing at the roads leading to Banluco. We traveled all day without halting. When evening came we found ourselves not very far from the place where we had slept the night before. So we had missed the road and were lost. Night came, but nevertheless we kept on hunting for the road until 9 p. m. Being unable to find it, we then stopped to rest and slept in the "cogon" grass.

June 5.—We all got up at 5 a. m. and set out hunting for the road. At 8 o'clock one of our soldiers, a native of Isabela Province, presented himself to the honorable president and informed him that he had found the road. We then resumed our march at once, and after traveling without halting we reached Banluco at 12 o'clock noon.

At 6 p. m. we left Banluco, taking the direction for the thick woods in the neighborhood of the town of Naguilian. Having marched all night without a halt and forded three rivers, at 8 a. m. we reached the woods we were seeking.

June 6.—In the interior of the woods we found three or four huts. The rumor of our presence at once reached the town of Naguilian;

and about 12 o'clock, while we were all asleep, Señores Ramires and Montevirgen, with many other patriots of the town, came out to the woods to visit us in our hiding place, bringing us gifts.

About 10 a. m. our sentinels reported that 40 Americans from Canayan were passing along the road by which we had come to Naguilian.

June 7.—We remained in the woods. The patriots of Naguilian and Gamu continued their visits without cessation, bringing us rice and every kind of food in abundance, as well as clothing.

June 8.—It being dangerous for us to continue our residence at a fixed point, we left this woods at 6 a. m. and took the direction for another woods that was more dense. We had hardly gone more than 2 or 3 miles, and were still in an extensive field, when we saw following and running after us a multitude of women. On this account the honorable president ordered us to halt and wait for them. After we had waited two hours these women arrived, some accompanied by boys. Each woman brought shirts, all kinds of clothing, tobacco, etc., for our soldiers. These women patriots were from Naguilian. After expressing to them his gratitude, the honorable president recommended that they advise their daughters to accept no man as a fiance who did not know how to defend his country. The women withdrew at 11 a. m., and we resumed our march toward the woods which we were hunting for, reaching it at 12 o'clock noon.

June 12.—In spite of our being in hiding in the woods the patriots of Gamu were always coming to see us.

June 17.—Señor Mariano Ramires left for Manila on a special mission.

June 20.—At 2 p. m. Lieutenant Alejandrino and his company, with Manuel Tomies, set out to make an attack on the hostile garrison at Brina Mercedes.

June 29.—This morning the honorable president's special messengers set out, carrying circular letters to all our generals.

About 6 p. m. the honorable president's aid, Señor Tomas Magsalili, arrived from Manila bringing many family letters and a package of foreign mail having reference to peace negotiations. The honorable president also learned that his son is alive.

JULY, 1900.

July 4.—About 8 o'clock at night the honorable president was attacked with a sort of ague.

July 5.—The honorable president has a bad case of malarial fever.

July 6.—The honorable president is improving.

There came up for trial in the camp this morning the case of Junior Maj. Geronimo Gatmaitan, a deserter from the escort of the honorable president. The major had also carried away with him some soldiers, and as soon as these knew of his bad intentions they escaped from him, returned, and presented themselves to the honorable president, informing him that while they were with Major Gatmaitan he was always trying to seduce them into surrendering to the enemy, and to give up their guns; and as they persistently refused to do so, he went away without taking leave of them, for which reason they knew nothing of his whereabouts. In view of these grave offenses the honorable president this morning ordered all the field and line officers in camp to form a council to deliberate as to what penalty ought to be inflicted upon

the said major. The council was composed of Maj. Raymundo C. Jeciel, Capts. Juan H. Pilar and Ildenfonso Villareal, and First Lieut. Tomas Magsarili and Teodoro Dayao, Señor Simeon A. Villa presiding. They unanimously agreed that the penalty should be death.

The record having been signed by all, was presented to the honorable president, who at once approved the proceedings. At 2 p. m. Major Gatmaitan was shot, as is shown in the following report:

HON. CAPTAIN-GENERAL:

He who was charged with fulfilling your high decree of this date concerning the infliction of the death penalty upon the person of Maj. Geronimo Gatmaitan, has the high honor of informing you that the execution in question was carried out in accordance with military regulations and laws at 2 o'clock in the afternoon of this day.

God guard you many years.

Tierra Virgen, July 6, 1900.

RAYMUNDO C. JECIEL, *Major*.

July 8.—This morning First Lieut. Teodoro Dayao went away as special commissioner to receive the guns at the town of Palanan which are going to be disembarked there, according to letters No. 24 and No. 25, from Hongkong.

July 26 (sic).—The honorable president received a report from Señor Logan, interpreter, giving him the information that the Americans at Echague had received official correspondence saying that commissioners (sic) called "Cazadores," or scouts, will come with the object of seeking him and having a conference.

July 22.—Special agent Señor Silvestre Timinas left for Manila, carrying the honorable president's official mail, and the reply to letters Nos. 24 and 25 of the Hongkong committee dated the 1st of May.

July 29.—The honorable president received newspapers from Manila, the dates of which reached to the 4th of this month; and he learned to the great grief of his soul that Señor P. Paterno, usurping the authority of the chief of the revolution, was publishing and pretending that he had full powers from said chief and was actually forming an autonomist party in Manila.

July 30.—C. Ronquillo, ex-major of Tirona's brigade, arrived in this camp.

AUGUST, 1900.

August 1.—Special agent Señor Mariano Ramires, who went to Manila on the 17th of June last, returned to this place. He brought back the letters from Lino, which are very important, because he says that Señor Lino had gone to Hongkong.

This afternoon the honorable president received a report from Lieutenant Dayao dated in Palanan the 18th of July last, saying that, according to information from the natives, a week before his arrival two steamers passed there firing at one another and flying different flags.

August 6.—Major Ronquillo left this camp, having been designated as chief of guerrillas in the province of Cagayan. He also carried with him from Manila and foreign countries the honorable president's orders and manifestoes.

There are many rumors to the effect that the Americans are coming to attack us in this camp.

August 10.—A report has been received from a patriot at Naguilian

tating that through the Americans themselves it has become known that they are going to attack us in this camp some of these days.

This makes the seventh day that the honorable president has been sick with malarial fever, complicated with bronchitis and gastro-enteritis.

August 11.—At 8.30 o'clock this afternoon First Lieutenant Vitelano left this camp for Manila, carrying the honorable president's official correspondence for the generals and for foreign countries. This special agent also carried an official document in the honorable president's own handwriting for Señor Apolinario Mabini, granting him full powers to arrange for peace on the basis of the independence of the Philippine Islands. Bartolo Manserte also went as a special commissioner.

August 15.—On this date the honorable president received a letter from Señor Engracio Gonzaga, in which he expressed his loyalty and placed himself subject to the orders of the honorable president.

August 16.—The honorable president's condition is rather bad, and he is unable to leave his bed.

August 17.—A report came from Naguilian yesterday informing us that 2 large rowboats full of Americans had passed that place.

The honorable president has recovered his health.

August 20.—A report was received from Gamu informing us of the arrival of many Americans at Aparri, and the 8 very large rowboats were en route to this section.

The honorable president, wishing to avoid the attack of the Americans, decided that we should leave here and take the direction for Palanan, carrying only 16 guns, the others to remain in charge of Captains Pilar and Villareal, who stayed behind to engage in a system of guerrilla warfare in this province.

August 22.—On the night of this date we received trustworthy news that the American negroes who are coming up are going to take the place of the whites, who are already leaving.

August 24.—We received newspapers and learned that on the 28th and 29th of July a great peace celebration, initiated by P. Paterno, took place in Manila.

August 25.—This morning we received several letters from Gamu and Naguilian, announcing that the Americans by threatening to shoot the leading citizens of the towns compelled them to take the oath of allegiance and recognize the sovereignty of the United States.

August 26.—About 1 p. m. we received a report from Naguilian, informing us that there had arrived in Gamu a company of cavalry, which, in conjunction with some of the infantry, was coming to attack us under the guidance of one of our soldiers who was wounded and taken prisoner some days ago.

August 27.—Everything being conveniently prepared, in order to escape a failure of the Americans' plans of attack we, at 5.30 a. m., abandoned this camp of "Tierra Virgen," after having lived there peacefully for two months and twenty-one days. Capt. Juan H. Pilar, Capt. and Señors Villareal, Carasco, Catindig, Subido, Ruis, de Leon, and the greater part of the soldiers remained behind in the province to operate as guerrillas. The honorable president only carried with him 16 sharpshooters and Señors Villa and Barcelona and Lieutenants Magarile and P. Reyes.

In order that our direction to Palanan would not be perceived by

anyone, on leaving the camp we took the route along the river in the interior of the woods. We followed the river's course, all of us being wet. After marching continuously in the river for five hours we left it and took a course through the interior of the woods for the settlement of the Calingas at Catalangan. About 2 p. m. we encountered an old Calinga man, who had come from the settlement. On being asked if there was anything at the settlement, he told us that on this morning 25 Americans were there—for what purpose he did not know—and that these left about 10 a. m. We took this Calinga for our guide, telling him to conduct us by a route far from the settlement. After a conversation of fifteen minutes we resumed the march through the interior of the woods. About 4 o'clock, after our having marched continuously, the Calinga announced to us that we would have to emerge into the open field as the woods ended at that point. The honorable president then ordered that we should halt here first, while the guide went on to the settlement to inquire among the other Calingas respecting the movements of the Americans. After an hour the Calinga returned with his son, a Christian, informing us that 25 American cavalrymen were stationed on two rivers near us; but they did not know for what reason.

The presence of the Americans on the river was undoubtedly for the purpose of cutting off our retreat. Then the honorable president ordered us to hide in the woods; and at 5 o'clock we resumed the march. After seeing several pieces of woods, entering and passing through them, about 7 o'clock we placed ourselves in one of these, where we found a little house inhabited by a Calinga man and his wife.

We slept very uneasily throughout the whole night, because the Calinga man said we were distant only about one hour from Maluma where the Americans have their central camp, and therefore they could have surprised us at midnight.

August 28.—All of us had breakfast at 5 a. m.

The honorable president did not know what direction to take, because in addition to those Americans who were blocking our passage, it seemed probable that there was another column in our rear pursuing us and pushing on toward this point, namely, those who were to have attacked our camp yesterday morning. After questioning the Calinga as to details, the honorable president chose the route leading to Tabuyan settlement in order to get around the places where the Americans were waiting for us, and at 11 a. m. we set out for that point. We traveled through the interior of various woods, avoiding passing along any roads or trails which the Calingas travel, so as to prevent the enemy pursuing us.

After marching without a halt we reached the settlement at 2 p. m. We did not go into it, but stopped in a piece of woods near it, so as not to be seen by anyone.

When night came we resumed our march, not along the roads, but in the interior of the woods, where, owing to the complete darkness, we had to grasp one another while walking in order to keep from being lost.

About 9 o'clock we commenced ascending the mountain ridges one above the other, and about 11.30 we encountered on the summit a little house inhabited by a Calinga man of marriageable age. Owing to the tired condition of our soldiers, we rested here and spent the night.

August 29.—At 6.30 a. m. we resumed the journey, ascending and

descending the mountain ridges, but always keeping in the interior of the woods. We took the direction for the Ambabu settlement. At 12 o'clock sharp we found ourselves at the place called Alabaddabad. We stopped here looking for guides. We resumed our journey at 4 p. m. About dark we met a Calinga boy who told us he had come from the Ambatuan settlement; and that an American column had arrived there a little after midday. This news was ominous for us, as the column had blocked our retreat. We continued the march.

After walking for half an hour, the officer of the vanguard informed us that the guide was vacillating as to the route and was trying to lead us to the other side of the river, because on that side lay the road to Ambabu. But the enemy was also there, since in that neighborhood is located the Ambabu settlement. In view of all this we stopped here; and the honorable president ordered Lieutenant Magsarile and six soldiers to seek another Calinga who might serve as our guide.

About 10 o'clock that officer returned and reported he had found no Calinga, but had met a Christian, a native of Casiguron, who informed us the Americans who arrived in Abatan had continued their march on to Amabu. This news confirming our previous suspicions that our retreat was already blocked, caused the honorable president to forego the idea of going to Amabu, and to arrange for us to conceal ourselves in the woods for the time. So we slept where we were, without any other roof than the sky to cover us; and with the ground as our bed, our caresses being the bites of the numerous mosquitos or "nicnec," which prevented us from sleeping during the night.

August 30.—We left that place at 6 a. m. and returned to the woods near Alabaddabad, arriving at 8. m., and placing ourselves in its interior. Many Christians from Casiguran came to this woods to pay their respects to us, some of them telling us that the Americans who were at Ambabu had already returned to Maluno, while others said that another hostile column had arrived at Ambatuan.

We spent the night in this woods, but all were on the alert for fear of a surprise, since we were within one hour's march of Ambatuan.

August 31.—At 6 a. m. we abandoned the woods and took up the march for Ambabu; but on arriving in another woods we stopped to wait for the return of an individual we had sent to Ambatuan to investigate the movements of the enemy. About 12 o'clock two Christians, women, came and informed us that the Americans who were in Ambatuan had gone on to Ambabu.

Our messenger returned about 2 o'clock, informing us that there were no Americans in Ambatuan. In view of this trustworthy information, at 4.20, we resumed the march for Ambabu, passing through woods and fording three rivers during one and a half hours' travel. We came to a fourth river on the side of which was a thick woods which we were about to enter. But in view of the fact that night came on, and we were unable to go into the interior of the woods in the dark, we spent the night on the bank of the river.

SEPTEMBER, 1900.

September 1.—We resumed the march at 6.40 a. m., passing along the river until 8 o'clock, when we ascended a mountain ridge. At 9.30 we reached a beautiful spring, where we stopped to rest. This place is called Dibuluan.

At 10.15 we resumed the march, passing through the spring. At 11.30 we climbed the mountain ridge, the ascent of which was exceedingly steep. At 12.15 we reached the top, and at 1 o'clock we found some houses of the Claingas, in which we took our siesta. This place is called Dilumin. After resting in the woods, at 4 p. m., we resumed the march. We had to ford 3 rivers between which were great high mountain ridges that we crossed. At 6 p. m. we arrived at a place called Ditabag, where we found a little house inhabited by Calingas. We stopped here and all set in to cooking supper.

We spent the night here in the open air.

September 2.—We commenced the march at 5.55 a. m. After going a short distance, we suddenly went down into a river and followed its course. We walked in the river until 11 o'clock without halting and then we ascended a high mountain ridge. On reaching its top we commenced descending the other side. On arriving at a river we halted in order to rest and eat our midday meal. This is the place called Ambabu.

At 3.30 p. m. we resumed our journey, passing along mountain ridges and ascending and descending their sides. At the last of these slopes we found a river between two high mountain ridges, and here we halted, as we were unable to continue the journey for the reason that no more water could be found in those regions through which we were passing, and for the additional reason that it was night. Everybody set in to cooking. We slept on the bank of the river.

We reached this place at 5.15 o'clock.

September 3.—At 7 a. m. we resumed our journey for Palanan. There are no Americans in that place, according to reports of travelers from there whom we have met on the road.

Our first direction was along the course of the river. Then we ascended the mountain ridges and descended on their opposite sides, where we found a river, and so on, passing alternately rivers and mountain ridges.

At 11 o'clock we found ourselves on the river at the foot of a great mountain ridge, the ascent of which, according to our calculations, would require five hours. So we first halted and ate in order to strengthen our bodies. When the meal was over we took up the march at 11.35. At this time a heavy shower of rain commenced to fall, wetting all the soldiers. We climbed up the mountain ridge on our all fours, so as to avoid falling into the precipice. We were shivering from the cold, due to the continual downpour of the rain.

Traveling on without halting, and suffering great hardships, not only on account of the horrible cold due to the rain, but also on account of the annoyances caused us by the "limatics," we finally reached the other side of the mountain ridge at 4.20 p. m., where there is a river. Then the rain ceased.

Owing to our exhausted condition we rested on the banks of this river, which flows between two mountain ridges. We passed the night badly, since it rained heavily all night, and because we were sheltering ourselves beneath the trees where at each moment we were catching on our faces or other parts of the bodies several of the "limatics" which abounded in that place.

September 4.—At 8 a. m. we resumed our journey, passing through the river. At 10 o'clock we commenced ascending a mountain ridge. The rain continued; the "limatics" were abundant. Without a halt

continued the ascent, even crawling at some points, and reached the top at 12.20. We at once began descending. At every moment was heard the noise of falls on account of the slippery ground. The soldiers were complaining of hunger; some were sick, among these Señor Villa who was attacked with the malarial ague, but we never halted a moment, and at 3 o'clock we reached the foot of the mountain ridge, where there is a river.

Here we halted to rest and eat. At 3.30 we resumed the march. We ascended one mountain ridge and descended on the other side, where there is a river, and so on, alternately passing among rivers and mountain ridges. We kept on marching until 5.30 p. m., when we reached a river on the bank of which we rested and spent the night. This river is located between two woods.

September 5.—The greater part of the soldiers having finished their provisions, many of them had no breakfast this morning.

Lieutenant Magсариле was attacked with severe malarial fever; therefore we were not able to start out this morning at 7 o'clock, as we should have done; but at 8 o'clock, although the lieutenant still had fever, we were forced to abandon the place for want of food supplies. We marched among rivers, mountain ridges, and woods until about 12.30, when we halted to rest and eat.

At 2.30 we resumed the march, and ascended a mountain ridge. On descending on the other side we met the vice-presidente of Palanan and some travelers on their way to Isabela Province. Animated by an ardent patriotism, he turned back and accompanied us.

About 6.30 we found ourselves at the ranch of Dumasari, distant one hour from Palanan.

September 6.—About 8 a. m. the presidente local of Palanan presented himself to the honorable president. As had been previously arranged, Dr. Barcelona was introduced as the chief of our column under the assumed name of "Capt. Santos Baltasar," his secretary being Lieutenant Estelban, who was really the honorable president, Señor Villa posed as the hospital steward of the column, assuming the name of "Señor Alvaro," with the rank of a sergeant. This change of names was made because it is well known by the inhabitants of these provinces, and by the Americans themselves, that Señors Villa and Barcelona are the honorable president's inseparable companions. This arrangement as to change of names was made known to the soldiers and officers composing the escort of the honorable president.

At 9.30 we left the Dumasari ranch and proceeded on to the town of Palanan, accompanied by the presidente local and vice-presidente. At 11 o'clock we entered the town itself, being met by a band of music and a large crowd of people. This then is the first time that we have entered a Christian town since November, 1899, when we went into hiding. Therefore our enthusiasm is immense. [Sic.]

The troops took up their quarters in the convent, and the honorable president and Señors Barcelona and Villa in a private house.

As to the condition of the town, it is completely uninhabited because according to the presidente local and the leading men, the inhabitants of the town as soon as they heard about the Americans taking possession of our towns went off into the woods and mountain ridges. There they built their huts; and all being armed with lances and darts, are waiting for the American invasion of the town in order to

show these that they prefer living in the mountains to submission to the foreign yoke.

September 9.—Having been previously invited by "Lieutenant Esteban" all the inhabitants of the town, with a band of music, assembled in the convent. At 12 o'clock a lunch given by the honorable president was served for them all. When this was over the honorable president made a brilliant speech, arousing the patriotism of them all. At 3.30 the delightful reunion terminated.

September 13.—Owing to the excited patriotism of the Palanan people they are always furnishing us with all kinds of necessaries. Hence we have eatables in abundance and especially such viands as large fish, chickens, etc.

Almost all the houses in town have tumbled down on account of being abandoned by their owners. For this reason, and on account of the bad arrangement of the streets, the honorable president, or "Esteban," has sketched a plan and recommended the presidente local to erect a new town in accordance with the plan as soon as our independence is declared.

September 16.—This morning some travelers from Casiguran arrived in the outskirts of the town, but they were not permitted to come into the town, this action being taken to avoid their having knowledge of our presence. According to these travelers the Americans stationed at Baler go twice a week to Casiguran to secure pigs, chickens, and other kinds of food, returning when they are quite satisfied with their barbarities. That is due perhaps to their not having received their rations and pay.

September 19.—At 7.50 a. m. the honorable president, Señors Barcelona and Villa, and some soldiers of the escort went out to the place called Sabang, where Lieutenant Dayao and five soldiers are on watch for the steamer that is to bring arms. After a march of three hours—that is, at 11 o'clock—we reached that place, which is on the Pacific coast. Having rested for a while the honorable president and Señors Villa and Barcelona went in bathing in the sea.

At 3.15 p. m. we started out on our return trip to Palanan, arriving at 6 p. m.

September 20.—The honorable president is again suffering with malarial fever.

September 21.—By invitation of Señor Benjamin Cortes, "vice-presidente" of this town, this morning the so-called "Captain Santos" and "Hospital Steward Alvaro," with Lieutenants Magsarile and Jeciel (sic) went to the ranch where the "vice-presidente" lives, which is distant about two hours' walk from Palanan. On account of his illness the honorable president could not go.

September 22.—The honorable president is completely well.

September 24.—The honorable president, Señors Barcelona and Villa, Lieut. P. Reyes, Major Jeciel, and some of the escort soldiers spent the day on the ranch where lives the "presidente local" of this town.

September 29.—To-day being the anniversary of the ratification of independence, all the inhabitants of Palanan, pursuant to a previous announcement by "Lieutenant Esteban," assembled at 9 a. m. in the church where with great emotion in their souls they listened to the brilliant addresses inciting them to patriotism, which were delivered by Señors "Baltazar," Jeciel, Magsarile, Reyes, and "Esteban A.

Bienvenido." After these solemn exercises, rendered beautiful by a band of music, all went up into a convent where there was dancing for a short time. Then a luncheon was served to everybody, a triangular table seating 200 persons having been erected in the atrium of the convent.

After luncheon dancing again commenced and was continued until 4 p. m., when began the racing by the boys, greased-pole climbing, etc. At 6 o'clock sharp all the town formed in a procession and paraded the streets crying "Hurrah for independence."

September 30.—In spite of this being a coast town, there is a great deal of malaria prevailing here; hence many of the soldiers are suffering from this disease, as well as the honorable president.

OCTOBER, 1900.

October 3.—Picnic day. The honorable president and his companions spent the day in Dicabayo, one of the ranches near Palanan.

October 6.—We spent the day on another ranch. It has been raining in torrents for eight days.

October 10.—This morning the honorable president received some foreign mail and several letters from fellow patriots in Manila, as well as some personal effects and medicines.

October 13.—We spent the day on a ranch.

October 15.—This afternoon Maj. Raymundo C. Jecel left us, he having been commissioned chief of the guerrillas operating in Isabela Province. He carried with him our mail from Manila and foreign countries.

NOVEMBER, 1900.

November 12.—We have received official letters from Mabini, from the Hongkong committee, the Washington committee, and from Ambassador Agoncillo, as well as personal letters from many Manila people and from our families. People in Isabela Province also write us that the Americans are coming to attack us here very soon.

Lieut. Miguel de los Santos, of Cavite Viejo, has arrived here, having come from Manila.

November 18.—Our special agents have left, carrying with them correspondence for the generals, for foreign countries and Manila, and family letters.

The honorable president having learned that the power of attorney document which he sent to Señor Mabini was taken by the ambitious Paterno and burned, sent another signed copy by to-day's mail. By this same mail there will also arrive in Manila the nominations of an executive committee of the "Filipino Central Red Cross Society."

November 21.—About 7 o'clock at night the honorable president received a report from our outposts stating that there was an American column on the road very near here, and coming in this direction. Our special messengers, who left Sunday, the 18th instant, also returned, bringing back with them the packages of mail.

The honorable president at once gave orders for making a defense of the Gi-aguet Mountain ridges, where is situated the entrance to the town. So then throughout all the night the soldiers were preparing their food supplies and equipments. At 3 o'clock in the morning Captain Magsarile, with half of the honorable president's escort,

marched off toward these mountain ridges to make a defense there. Many residents of the town voluntarily accompanied him, being armed with arrows, and having as their leader the chief of police, Señor Olimpio Cortes.

November 22.—During the day the residents unroofed all the houses, and moved their houses and every kind of food, and even their cattle, into the mountains and woods. By 3 p. m. nothing was left in the town, because we also abandoned it and moved to a ranch on the other side of a big river.

At the last moment the honorable president gave orders for Second Lieut. Leandro Paz and three soldiers to remain in the town as a guard, in order to receive reports from our outposts. The night passed without incident.

November 23.—All day long we were waiting for news from the fight.

At 7 p. m. a report came directly from the trenches to the effect that the fight had commenced at 10 a. m. that day, many white Americans and a guide named Vicente Agabao, who was leading them on the road, having fallen at our first volley. Then ensued a panic among the enemy, and they at once took flight, and hence when our informant left the trenches the firing was over.

At 9 p. m. Señor Olimpio Cortes, an officer who was commanding one of our trenches, arrived, bringing as prisoners captured by him two burden bearers of the Americans. He informed us that the Americans had been able to flank our forces, and hence these had left the trenches; and he also said that Captain Magsarile had retreated in a different direction, having been unable to join forces with Cortes.

The captured burden bearers assured us that the Americans who had been killed were the commanding officer of the column and a lieutenant, a doctor, and some soldiers, besides their guide, Vicente Agabao, because these always went in the vanguard. Señor Cortes retired with his forces to the second battery to await the arrival of the enemy.

It should be noted that Señor Cortes is chief of the Palanan police.

November 24.—We were expecting Captain Magsarile all day. In the afternoon the honorable president sent the Dumagas or Aetas to search for him in the mountains near the town.

At 10 a. m. we received a report from the guards in the town, saying that the Americans reached the first ranch in the afternoon, and that they were continuing their march by night, burning all the houses encountered en route.

In view of this reliable information, and on account of the proximity of the enemy, at 1.45 the same night we left the ranch where we were encamped. After fording several rivers and marching continuously until 2.45 in the morning, we arrived at the house of one Santiago. Here we rested until morning.

November 25.—We resumed the march at 6 a. m., and after walking for an hour we found a large woods called Dicadiuan. We went into its interior, and about 9 o'clock stopped for a rest and to cook something to eat. At this hour we saw the Americans fire on the town.

In the afternoon of this day Señor Cortes, commissioner of justice (sic) in the town, and also sergeant of the guerrillas operating in the same, came to present himself to the honorable president, informing us of his having had an encounter with the enemy at the entrance to the town. He was unable to state with certainty the losses of the

enemy, but he himself had none. He said that the Americans were firing into every piece of woods encountered.

From this time on our rations were reduced to two meals a day for the sake of economy.

November 26.—We continued staying in the woods without incident. Captain Magsarile and his soldiers did not put in an appearance. None of the town people show themselves to the enemy, as they continue hiding in the mountains, having left nothing in their houses. The people have been continually visiting the honorable president in these woods where he is located.

November 27.—Still in the woods; nothing new.

November 28.—One of the companies of Captain Magsarile came to the woods to present himself to the honorable president, informing him that the captain and his soldiers are on the Dinasaret ranch. The honorable president at once sent for Captain Magsarile.

A report came from Sergt. Olimpio Cortes announcing that the Americans were no longer in the town, and saying that he did not know where they were, but supposed that they were reconnoitering the ranches.

About 8 a. m. Señor Villa, chief of the honorable president's staff, went out with four soldiers farther up into the interior of the woods, and there at the foot of the mountains ordered a small house constructed. When it was completed, about 4 p. m., he returned. In order to avoid being surprised by the enemy the honorable president, Señors Villa and Barcelona will sleep in the house every night.

About 3 p. m. Captain Magsarile arrived with two of his brothers, the other four having disappeared in the mountains, perhaps on account of their losing their way.

About 5 o'clock there came a report from Sergt. Olimpio Cortes informing the honorable president that the lost soldiers of Captain Magsarile had already arrived at a ranch in search of us. He also says that the Americans have entirely quit the town, having passed through the last ranch on their retreat the 26th instant—this being all due to the singular conduct of the inhabitants of Palanan, all of whom left their houses and took refuge in the mountains. Suspecting that the Americans had hidden in the woods in order to surprise the people on their return to the town, the honorable president sent out several persons to make sure of the truth of this news. The report as to the retirement of the Americans was confirmed.

November 29.—Nothing new.

November 30.—At 11.30 a. m. the honorable president with Señor Villa and two soldiers started for the place called Salpic, toward the east from the town, having arrived there at 5 p. m.

The return mail was sent off.

DECEMBER, 1900.

December 1.—During the morning the excursionists (sic) visited the mountain ridges near Salpic, but found nothing offering favorable conditions for a defense.

At 11.30 a. m. they set out on return to the woods where they were resting, arriving there at 3 p. m. On the road they met several of the headmen from the town, who told them that there were several

corpses of the enemy at the place where the fight occurred on the 23d of November.

December 3.—We abandoned the woods at 9 a. m. and started for the town. As all the houses were destroyed, we had to halt in the nearest ranch to the town where we were formerly, in order to send on ahead to have our houses repaired. We got to the ranch at 12 o'clock noon. After eating luncheon we visited the town itself, where we saw the barbarities which the Americans had committed.

We returned to the ranch at 4 p. m.

December 4.—This morning, by order of the honorable president, all the officers and soldiers, except one of the former and five of the latter, went to the town to repair our houses.

December 7.—This morning about 9 o'clock Captain Dayao informed the honorable president that our houses in the town were completed. About 10 o'clock we arrived in the town.

About 1 o'clock the vice-presidente came to report, and said according to the statements of a Dumagas man the latter met several people yesterday coming from Casiguran whom he supposed to be Americans. Several individuals were at once sent to the Casiguran road as guards or sentinels, so as to give us notice if enemies came. We supposed the people coming were either Americans in combination with those who came to attack us a few days ago, or else native residents of Casiguran sent here by the presidente local of their town. As the Palanan people had already returned to their houses, orders were given them to hide their animals and food supplies in the mountain ridges. Scarcely do we think of resting when here comes bad news.

December 8.—The day dawned in sadness with a cloudy sky. Everybody was ready for marching. We were waiting for a report from our sentinels. About 6 a. m. the honorable president ordered a concealed trench to be constructed among the trees at the convent, in order that our forces might ambush the enemy when these arrived. The people of the ranches had already taken refuge in the mountains.

About 10 a. m. the presidente local arrived, bringing a letter from the sentries, which proved to be a report from the people who were coming from Casiguran. The report was from Maj. Nasarac Alhambra, informing the honorable president that he and all his forces had arrived from Casiguran. Then our tranquillity returned.

About 5 p. m. Major Alhambra and four soldiers arrived, bringing with them \$3,200 as war contributions collected in Echague, Isabela Province, while his forces remained in Casiguran.

December 12.—This morning a resident of Palanan, receiving his information from a Dumagas native, notified the honorable president that the Americans who had attacked us on the 23d of last month had lost their way on their retirement, and at present were in a mountainous place called Disaplat, without any burden bearers, and that they only numbered some 10 men.

December 13.—In view of the news received yesterday, the honorable president commissioned two residents here to go to the place to see the Americans who were lost in the mountains.

By order of the honorable president, on this date Colonel Villa, of the staff, dispatched a letter to Señor Agustin Oros, head of the "Tabacalera Company," in Isabela Province, intimating to him that he should supply us with powder and everything necessary for an arsenal. In the name of the Filipino government, Señor Villa promised

him that if he rendered us this valuable service, all the interests of the "Tabacalera Company" would be respected throughout the Philippine Islands.

December 16.—The officers composing the honorable president's escort gave a ball in the convent in honor of the Palanan young ladies.

December 17.—The honorable president, with his chief of staff, Villa, and some other officers, went out to superintend the construction of trenches on the mountain ridge called Dinagapilan. They left at 9.10 a. m., accompanied by many residents of Palanan, who are the ones who are going to do the work.

At 12 o'clock they arrived at the farthest ranch, which is at the foot of the mountain ridge. On account of Señor Villa being attacked with malarial fever, the party had to halt here until night, but Lieutenant Reyes and four soldiers kept on.

December 18.—At 6 a. m. we resumed the march, ascending to the top of the mountain ridge, and at 10 a. m. we reached its foot on the other side. The ground was immediately reconnoitered and the orders given for the construction of trenches at the strategical points.

December 19.—Construction of trenches continued.

December 20.—Construction of the trenches continued.

December 22.—The construction of the trenches continued; but there was want of provisions for the laborers, many of them having eaten nothing.

December 24.—Only two batteries remained unfinished; but it was impossible to continue the work, as there had been nothing to eat since the day before. Therefore the honorable president ordered that 12 o'clock of this day we should return to the town. So at that hour we left Dinagapilan, and after a rapid march we arrived in Palanan at 3.30 p. m., being met by a band of music.

December 25.—To-day being Christmas, the honorable president distributed gifts to all the boys and girls in the town, as well as to all the officers and soldiers of his escort. After the distribution of money was finished the mothers of the boys and girls sang a hymn, the words of which referred very feelingly to our campaign in the mountains. An order was given for all the old men and old women to assemble at the convent on New Year's Day for the purpose of receiving presents.

December 27.—By order of the honorable president, Lieutenants Nedina and Paz and Señor Olimpio Cortes, the chief of police in Palanan, with 200 men of the town went out to Dinagapilan this morning to resume work on the trenches.

On awakening this morning the honorable president found himself indisposed on account of indigestion and fullness of the stomach.

December 28 and 29.—The honorable president is improving. On the afternoon of the last-mentioned date he moved into a larger house, which fronts the convent and was once the municipal schoolhouse.

December 30.—At 8 a. m. a solemn funeral ceremony in memory of the grand Rizal was celebrated in the church, all the field and line officers and soldiers who could be spared from duty having participated in the same, as well as the people of the town. Señor Barcelona delivered an oration touching upon the biography of the illustrious dead man.

December 31.—In order to take leave of the nineteenth century and the old year and to welcome the new year and the new century, the honorable president invited to his house all the leading men of Palanan

and the officers of his escort, as well as the charming lady dancers of this town.

The entertainment commenced at 7 o'clock in the evening with dances and rigadoons. About 11.30 o'clock all sat down at the table to eat supper, and when it struck 12 the band played the national air. After supper the honorable president and all the officers proposed toasts. When all this was over, dances and rigadoons commenced again and lasted till 4 o'clock in the morning, when the guests dispersed.

TWENTIETH CENTURY, YEAR OF 1901.

JANUARY.

January 1.—At 8 a. m. the honorable president distributed presents, the sum amounting to \$500.

At 10 a. m. there was another dance in the convent, it having been attended by all the young ladies of the town. The entertainment closed at 4 p. m.

January 2.—At noon the honorable president and Senor Barcelona went out to examine the outposts at Dinagapilan.

January 5.—At 4.30 p. m. the honorable president and his companions returned.

About 6 p. m. the mail arrived, containing very important packages from the Hongkong committee, from Manila, and from the chief of guerrillas, and especially important ones from Senor Mabini.

In the name of the Palanan people the local commander of the town gave a ball on this night in honor of the officers of the honorable president's escort. It commenced at 8 o'clock in the evening and terminated at 7 o'clock the following morning.

January 6.—By the mail which arrived yesterday we learned that McKinley was reelected in the Presidential election of America.

January 8.—Owing to the reelection of McKinley to the Presidency of the United States, the honorable president has arranged to issue a manifesto to the Filipinos in arms inciting them to patriotism in order that they may not be discouraged.

Forty of Major Alhambra's soldiers have arrived from Casiguran.

January 10.—The post left for Manila this morning carrying the honorable president's mail for foreign countries, for the Filipino committees, for Senor Mabini, and for the Filipino generals.

January 14.—Just after luncheon to-day Second Lieut. Leandro Paz went to take station at our outposts.

January 16.—At 9 a. m. an ordinary court-martial convened at headquarters to hear and determine the case of the soldier, Luis Novicio, charged with committing abuses under menace of armed force. The court was composed of the following persons: Colonel Villa, of the staff; Capt. Tomas Magsarile, prosecuting attorney; "Capt. Santos Baltazar," counsel for accused; Second Lieut. Medina (Calisto), judge-advocate, and the following voting members: Capt. Teodoro Dayao, Capt. Miguel Santos, Maj. Nasario Alhambra, Second Lieut. Basilio Palameg.

The trial resulted in the soldier, Luis Novicio, being convicted and sentenced to six years' imprisonment.

January 10.—A drumhead court-martial convened at headquarters for the trial of Noberto Julian, Florentino Nidia, and ——— (blank.—

[C. H.) on the charge of being spies for the enemy. It was composed of Colonel Villa, of the staff, as president, and several field and line officers of the army. The three prisoners were condemned to death.

January 20.—The three spies of the enemy sentenced to death by court-martial yesterday were shot this morning at 9 o'clock.

January 22.—To-morrow being the anniversary of the proclamation of the Republic at Malolos, the honorable dictator gave a ball and supper at his house this night in honor of the leading people of Palanan, the entertainment having lasted till 1 a. m.

January 23.—At 7 a. m. all the troops were reviewed in front of the house of the honorable dictator, who, from the window of his house, pronounced a brilliant discourse. Señor Barcelona also made a brilliant address.

The officers of the escort gave a ball in honor of the people of the town. It lasted from 9 a. m. until 11 p. m.

January 24.—About 6 p. m. the honorable dictator received a report from the outpost at Disusuan, informing him that our soldiers had been surprised by the enemy before daylight on the 20th instant, one of their rifles having been captured by the enemy. The report also states that very soon the 200 Americans at Maluno will come to attack us.

January 27.—In view of the foregoing news, at about 9 o'clock this morning the 60 soldiers of the honorable dictator's escort started for the mountain ridge of Dinagapilan under command of Colonel Villa, and arrived there at 3 p. m.

January 28.—With a view to avoiding misfortune to travelers, the colonel in command of the Dinagapilan line gave orders to Second Lieutenant Paz, who is at the outpost, not to permit travelers to pass at night.

January 29.—In the afternoon several persons came from Disusuan, and Second Lieutenant Paz sent a report stating that there are 200 Americans at Ambatuan en route to this point.

January 30.—Several persons came from Disusuan, bringing the same news as that of yesterday.

On this night the "Red Cross" was organized at Palanan.

FEBRUARY, 1901.

February 1.—In view of the great number of the enemy coming, the dictator asked the military commander of Isabela Province for reinforcements.

February 6.—During the afternoon a courier arrived, bringing the news that the Americans had gone back.

February 7.—In view of the foregoing news, Colonel Villa returned to town.

February 9.—The troops were ordered to retire to Palanan.

February 10.—There was a dance in the convent.

February 11.—The mail left for Manila, with correspondence for the Hongkong committee, and for Lumpo and many others.

February 17.—There was a dance in the convent.

MARCH, 1901.

March 3.—All the members of the municipal council of Palanan presented themselves to the honorable dictator, and stated that the town is running short of rice.

March 4.—The municipal council of Palanan communicated with the municipal council of Casiguran, asking for rice at the earliest moment.

March 7.—The honorable dictator received a letter from Senor Apolinario Mabini, dated the 22d of November, 1900, transmitting messages from the American generals, MacArthur and Bell, to the effect that our independence can not be conceded, and that the honorable dictator may retire to Manila under conditions of his having to live at the palace in Malacanang with MacArthur.

As to himself, Senor Mabini inquires of the honorable dictator whether he will have to advocate independence or autonomy, seeing that McKinley is already reelected.

March 8.—The honorable dictator answered Senor Mabini's letter, instructing him to thank General MacArthur, in his name, for the invitation, but to say that the Filipinos in arms desired nothing less than independence of the Philippine Islands.

March 16.—Having had news that the Americans will come by sea, the honorable dictator went out this morning to examine the place for a sentry station, which is situated on top of the mountain ridge, and which commands a fine view of the sea.

He also visited the place called Sabang, in order to see the fish traps he had ordered constructed there.

March 22.—To-day the dictator celebrates his birthday, and on this account many people have come to congratulate him.

[TRANSLATOR'S NOTE.—At this point the diary abruptly ends, Emilio Aguinaldo and his staff officers, Santiago Barcelona and Simeon A. Villa, having been captured by Brig. Gen. Frederick Funston at Palanan on March 23, 1901.—J. C. H.]

I certify that the foregoing translation, made by myself from the original Spanish, is correct.

J. C. HIXON,
First Lieutenant, Thirty-second Infantry, U. S. V.,
Assistant to Officer in Charge Division of Military Information.
 MANILA, P. I., June 5, 1901.

ADJUTANT-GENERAL'S OFFICE,
 DIVISION OF THE PHILIPPINES,
Manila, P. I., February 28, 1902.

A true copy of the original translation.

R. H. VAN DEMAN,
Captain, Twenty-first United States Infantry,
In charge of Military Information.

TESTIMONY OF D. J. EVANS.

(Sworn by the chairman.)

By the CHAIRMAN:

Q. Give your full name.—A. Daniel J. Evans.

Q. And you have been in the Army?—A. Six years.

Q. In the regulars?—A. Yes, sir.

Q. In what regiment?—A. My first enlistment was in the First Cavalry, for three years; my second enlistment, two years and seven months in the Twelfth Infantry, and transferred to the artillery stationed at Honolulu.

Q. Are you a resident of Kansas?—A. Yes, sir.

Q. Concordia, Kans., I believe?—A. Yes, sir.

Q. Were you born in Canada?—A. Yes, sir.

Q. And Concordia is your home?—A. Yes, sir.

Q. And did you serve in the Philippines?—A. Yes, sir; for two years.

Q. From when; when did you go there?—A. I got there in April, 1899, and left about the 1st of February, 1901.

Q. Where did you serve during that time; what part of the islands?—
A. The Island of Luzon.

Q. What was your rank?—A. Private, at the time of enlistment.

Q. And your rank at the time of your discharge?—A. Corporal.

Q. You received an honorable discharge, did you?—A. Yes, sir.

Q. The committee would like to hear from you in regard to the conduct of the war, and whether you were the witness of any cruelties inflicted upon the natives in the Philippine Islands; and if so, under what circumstances.—A. The case I had reference to was where they gave the water cure to a native in the Ilicano Province at Ilocos Norte.

Q. That is in the extreme northern part of Luzon?—A. Yes, sir. There were two native scouts that were with the American forces. They went out and brought in a couple of insurgents. They were known to be insurgents by their own confession, and, besides that, they had the mark that most insurgents in that part of the country carry; it is a little brand on the left breast, generally inflicted with a nail or head of a cartridge, heated. They tried to find out from this native——

Q. What kind of a brand did you say it was?—A. A small brand put on with a nail head or cartridge.

SENATOR BEVERIDGE. A scar on the flesh?

THE WITNESS. Yes, sir.

They tried to get him to tell where the rest of the insurgents were at that time. We knew about where they were, but we did not know how to get at them. They were in the hills, and it happened that there was only one path that could get to them, and we did not get to them that time. They refused to tell this one path and they commenced this so-called "water cure." The first thing one of the Americans—I mean one of the scouts for the Americans—grabbed one of the men by the head and jerked his head back, and then they took a tomato can and poured water down his throat until he could hold no more, and during this time one of the natives had a rattan whip, about as large as my finger, and he struck him on the face and on the bare back, and every time they would strike him it would raise a large welt, and some blood would come. And when this native could hold no more water, then they forced a gag into his mouth; they stood him up and tied his hands behind him; they stood him up against a post and fastened him so he could not move. Then one man, an American soldier, who was over six feet tall, and who was very strong, too, struck this native in the pit of the stomach as hard as he could strike him, just as rapidly as he could. It seemed as if he didn't get tired of striking him.

By Senator ALLISON:

Q. With his hand?—A. With his clenched fist. He struck him right in the pit of the stomach and it made the native very sick. They kept that operation up for quite a time, and finally I thought the fellow was about to die, but I don't believe he was as bad as that, because finally he told them he would tell, and from that on he was taken away, and I saw no more of him.

Q. Did he tell?—A. I believe he did, because I didn't hear of any more water cure inflicted on him.

By Senator RAWLINS:

Q. How many were present then?—A. This was an expedition. There were thirty, I think, of our company. We were not at our station at that time; we were on a little expedition down south, and I should think out of the thirty—I should judge that there were about fifteen of our men present, maybe twenty; and out of G Company, of our own regiment, that is the town they were stationed at—there were a greater number of them present.

Q. How many American soldiers altogether were there present?—A. I can safely say there were 50.

Q. Who was in command of them?—A. Capt. Robert K. Evans.

Q. Was he present at the time the water cure was inflicted?—A. He did not see it; no, sir.

Q. What, if any, officer was present?—A. This is a subject that I have debated on and I can not arrive at a conclusion. It was either Lieutenant Drum or Lieutenant Aloe; and I prefer to think it was Lieutenant Aloe, for the simple reason that our lieutenants were transferred about that time. Lieutenant Drum was promoted from second lieutenant to first lieutenant, and transferred to the Twenty-fourth Infantry, and about that time we got Lieutenant Aloe; and which of those two was on that expedition I can not say for certain.

Q. Where was the commander? How far distant from where this business was performed?—A. The captain in charge?

Q. Yes.—A. He was not over 200 yards away.

Senator BURROWS. Captain Evans, you mean?

The WITNESS. Yes, sir.

By Senator RAWLINS:

Q. Not over 200 yards away?—A. Yes, sir.

Q. Was there any effort to conceal it?—A. Not in the least.

Q. Was it a matter of common knowledge?—A. Yes, sir; it has been the talk of almost the whole army. They do not try to conceal it.

Q. How long has that been the case?—A. Well, it has been practiced, to my knowledge, from along in July, 1900, until the time I left the islands; and, of course, after that time I know nothing about it. I left the islands about February, 1901.

Q. When did this particular case occur?—A. It was about the month of August, 1900. I have not the dates accurate, but it was about that time.

By the CHAIRMAN:

Q. Did you witness any other cases?—A. No, sir; I could have witnessed others, but I did not.

Q. Was this man taken by the native scouts?—A. Yes, sir; he was taken by a couple of native scouts.

Senator ALLISON. What do you mean by native scouts?

The Witness. They were scouts—they reconnoitered through the country and gained information for the American soldiers.

By Senator BEVERIDGE:

Q. What was this date?—**A.** 1900; about August.

Q. About two years ago?—**A.** Yes, sir.

Q. How long did you serve altogether in the Philippine Islands?—**A.** Very nearly two years.

Q. During that time you were in what part of the archipelago?—

A. I was in the island of Luzon, from Manila to—do you want—

Q. Just generally. And during this time what is the fact as to your having observed any number of prisoners taken by our troops?—

A. I have seen a great number of prisoners; yes, sir.

Q. Tell the committee what the fact is as to the treatment of those prisoners by American officers and men, as to kindness and consideration, or the reverse.—**A.** The majority of the prisoners until the time I went north, if they were taken and had arms they would be kept a few days and their arms would be taken away, and then, probably, they would be paroled or released.

Q. During the time they were in our custody what is the fact as to the food given them?—**A.** They were fed, and if there was any work to be done they had to do it; but they were treated, up to this time the water cure commenced, as well as they could be. Some of the Filipino prisoners actually preferred to remain in the American lines, prisoners, than to be among their own people.

Q. And the sick and wounded among them?—**A.** They were given hospital treatment.

Q. The same as our men?—**A.** Yes, sir. In the front of their hospital, I believe, there were two wards.

Q. You speak of their hospital. Do you refer to the hospital in Manila?—**A.** Yes, sir.

Q. That was given up entirely to the Filipino sick and wounded?—**A.** Yes, sir.

Q. And what physicians attended them?—**A.** Our physicians and our nurses.

Q. Our nurses also?—**A.** Yes, sir.

Q. What is the fact as to the treatment of these prisoners, and sick and wounded being given the same as to our sick and wounded?—**A.** I could not see any difference, except probably the rations would not be the same. The Filipinos themselves would prefer rice.

Q. They would prefer rice?—**A.** Yes, sir.

Q. They were given what they preferred?—**A.** Yes, sir.

Q. Do you understand that to be the reason why there was any difference in the rations given to our own soldiers and to the Filipino prisoners?—**A.** That is the only reason I can give.

Q. They being used to it?—**A.** Yes, sir.

Q. What was the general conduct of the American officers and soldiers toward the people who were peaceably engaged in work, as to kindness or the reverse?

Senator RAWLINS. The Senator who has propounded this question has always objected strenuously to hearsay testimony, and he is now asking for the witness's opinion.

Senator BEVERIDGE. As you observe.

Senator RAWLINS. And I would like him to be confined to his own facts.

The CHAIRMAN. I understand he is asking what the witness observed himself.

By Senator BEVERIDGE:

Q. Yes; what is your observation as to the treatment of the people engaged in peaceable pursuits, as to kindness and consideration, or the reverse, from the American officers and the men.

A. They were never molested if they seemed to be peaceable natives. They would not be molested unless they showed some signs of hostility of some kind, and if they did, if we struck a part of the island where the natives were hostile and they would fire on our soldiers or even cut the telegraph lines, the result would be that their barrios would probably be burned.

Q. After our troops had passed over a district what is the fact as to the people returning to the fields and engaging in the business of tilling the soil, returning to their homes after peace had been established.—A. As far as I could see we would not much more than get through a town until you would see the natives coming back from the hills, carrying little white flags on sticks. As we struck a town we could not see a native hardly, but when we got 200 or 300 or 500 yards beyond the town we could see them coming in with these white flags.

Q. And what is the fact as to their going to work in the fields after peace had been established?—A. They were continually working in the fields, and they would come back.

Q. What did you understand the orders from the officers and the commanding generals to be as to the conduct of American officers and soldiers toward peaceably disposed people engaged in peaceable work; as to kindness or the reverse?—A. We never had any orders to molest any of them who were peaceably inclined, none whatever.

Q. And you say that sick and wounded Filipinos had the same treatment as our own people?—A. That was the First Reserve Hospital in Manila; yes. I never observed them in any other hospital. I spoke of that because I had seen it.

Q. Were you in San Fernando when it was occupied by General MacArthur?—A. Yes, sir.

Q. Were you in the hospital there?—A. No, sir.

Q. You do not know about the treatment they received there, then?—A. No, sir.

Q. As to its being the same as in Manila or elsewhere?—A. No, sir.—Senator BEVERIDGE. That is all.

By Senator BURROWS:

Q. I wanted to ask you if at the time of the administration of this water cure any United States officer was in command of the squad?—

A. There was an officer present at the time that this water cure was given, and, as I have said, it was about the time that our lieutenants were transferred, and I would not be positive which it was.

Q. Will you give the name of the lieutenant that you think it was?—A. I think it was Lieutenant Aloe.

Q. Of what company and of what regiment?—A. At the time he was first lieutenant of E Company, Twelfth Infantry.

Q. Was this water cure administered by his directions?—A. It must have been, because—

Q. I do not ask "must have been;" do you know that it was?—A. do not know that it was.

Q. Do you know that it was done at the command of any officer?—
A. I do not.

By Senator ALLISON:

Q. You spoke of this large man that was using his fist on a prisoner?—A. Yes, sir.

Q. How many times do you suppose he used his fist in that way?—
A. I think it would be safe to say that he struck him at least forty times right in the pit of the stomach.

Senator CARMACK. What was that; I did not understand it?

Senator BURROWS. That this man who had been filled with water was hit by a big, strong man; that a strong, large fellow came up and struck him in the pit of the stomach.

Senator BEVERIDGE. That he took a running start to get a better force in the blow.

By Senator BURROWS:

Q. Did he each time during the infliction of these blows go back and run to get force in his blows?—A. I do not believe I said he ran; he would step back and then strike.

Q. And apparently with great force?—A. Yes; harder than I could strike.

Q. And what officer was present when that was being done?—A. As I said, I believe it was Lieutenant Aloe.

Q. Where is Lieutenant Aloe?—A. I do not know, sir. He was out on staff duty after I left the regiment, and from there I do not know where he went.

The CHAIRMAN. What man was it you said did the striking?

The WITNESS. A man by the name of Frank Koehler.

By Senator BURROWS:

Q. Of what company?—A. The same as mine, the Twelfth Infantry.

Q. Do you know where he is now?—A. I was told he lived in Cincinnati.

Q. He has been discharged from the service, has he?—A. Yes, sir.

Q. Now give me his full name.—A. Frank Koehler.

Q. Spell it.—A. F-r-a-n-k K-o-e-h-l-e-r.

Q. And you think he is in Cincinnati?—A. I think he is.

The CHAIRMAN. Was he a sergeant?

The WITNESS. No, sir; he was a private.

By Senator ALLISON:

Q. This was done under the direction of these native scouts, or who did this work; was it part of the American soldiery, or was it simply these scouts?—A. It was part of each; it was this man Koehler and two native scouts.

Q. They were the ones that did the business?—A. Yes, sir.

By Senator RAWLINS:

Q. Was there any effort on the part of any officer there to prevent this being done?—A. No, sir; none that I saw.

Q. You say it must have been ordered by some officers. Why did you say so?—A. I believe the question was asked me if it was ordered, and I said I did not know.

Q. But you started to say it must have been. Those men that were there were under command of officers, were they not?—A. Yes, sir.

Q. And officers were present?—A. I think it was this Lieutenant Aloe that was present, as I stated before.

By Senator BURROWS:

Q. But the two scouts and this large man were the only ones that participated in the infliction of this water cure?—A. Yes, sir.

By Senator RAWLINS:

Q. You stated you saw natives coming out of the hills with little white flags of truce. What did they do with them?—A. We never molested them. We let them go about their business. On returning we would find them coming back.

Senator BEVERIDGE. You said that when you passed by they came back to work?

The WITNESS. Yes, sir; they came back to work after we passed.

Senator RAWLINS. Certain towns were burned?

The WITNESS. Yes; some barrios.

Senator ALLISON. That is to say, the appearance of our troops induced them to come back. Was that the idea?

The WITNESS. Some of the natives were afraid of the American soldiers when they would appear in a body, and they (the natives) would run off and hide; but when we got past we would see them coming back with these little white flags, and if we could come back the same way we would find the natives at work.

Senator BEVERIDGE. In the fields?

The WITNESS. Yes, sir.

By Senator RAWLINS:

Q. In other words, when the American troops would approach the natives they would leave the towns?—A. Yes, sir.

Q. And after you got by they would return?—A. Yes, sir.

Q. You stated certain towns were burned?—A. Yes, sir.

Q. How many towns were burned, if you remember?—A. I know of about five myself being burned.

Q. How large were those towns?—A. They would be what we call barrios, villages.

Q. About how many inhabitants did they contain?—A. I could not make much of an estimate on the inhabitants; there were a great many natives lived in one house, and so it would be a guess to try to tell how many there were altogether.

Q. About how many would be in a house?—A. I have seen as high as 24 in one small house.

Q. When these villages were burned, what became of the inhabitants?—A. They would go out and hide for a while, and then, I suppose, build another one.

Senator ALLISON. What was the character of these houses?

The WITNESS. Bamboo.

By Senator RAWLINS:

Q. Give us your best estimate as to the size of these villages that were burned.—A. There would be probably 20 or 25 bamboo huts in one of the villages.

Q. And a large number of natives in each hut?

Senator BEVERIDGE. He did not say that.

Senator RAWLINS. He said as high as twenty.

Senator BEVERIDGE. No; he said sometimes he had seen twenty-four.

Senator RAWLINS. I said some as high as twenty, and you say twenty-four.

Senator DIETRICH. How many rooms were there in this hut that you saw twenty-four people living in?

The WITNESS. Probably four or five rooms; that would be counting the little kitchen they have on behind it.

By Senator ALLISON:

Q. How many stories are these houses?—A. Generally one story.

Q. And they are bamboo huts?—A. Yes, sir; set up on bamboo sticks.

By Senator RAWLINS:

Q. You stated, as I understood you, in your testimony that the natives up to the time they began applying the water cure were pretty well treated. How was it after they began the infliction of the water cure?—A. I did not see a great number of prisoners taken after that myself, and, as I say, I only saw one actual case of the water cure. I have heard of others. But the other prisoners, as a rule, were taken back to the town called Laoag and confined there and disposed of there according to the ideas of the commanding officer.

By Senator BEVERIDGE:

Q. You say that upon our approach—that is, in the first advance—when we would come to a town people would depart?—A. Yes, sir.

Q. After we would leave the town they would return?—A. Yes, sir.

Q. Then, when you came back again you found them at work in the fields? Is that correct?—A. Yes, sir.

Q. Now, then, when you returned back again did or did they not run away as in the first instance?—A. I had in mind the town of Taytay. When we approached that town we approached them under a line of fire, and we drove the natives from the town.

Q. That was on a Sunday?—A. I believe it was.

Q. I remember that very well. But what I am driving at is this: After our column had passed and peace had been established and you returned and found the people at work in their fields, then did they run away again, as in the first instance?—A. No, sir; they stayed right in their town.

Q. They appeared to have lost all fear or misunderstanding of us?—A. It appeared so; yes, sir.

Q. When did you leave there?—A. I left there the latter part of January, 1901.

Q. What were the last prisoners you saw in our custody? Did you see any the last month of your stay there?—A. I was in the hospital at Dagupan, and there was one prisoner brought there that our company had captured. They opened fire on our company at a place called Moncada, and we captured one man who had been shot a couple of times or three times.

Q. And you saw him?—A. I saw him when they brought him to the hospital. He was taken to our hospital, and then he was taken to another hospital called Lingayen, or something like that.

Q. What treatment was he given?—A. I did not see.

Q. You simply saw that he was taken to the hospital?—A. Yes, sir.

Q. So far as you know then and observed, there was no difference

in the treatment of prisoners taken in battle or otherwise, at the end of your service, than there was at the beginning of it; that is to say, our treatment of prisoners—sick, wounded or otherwise—was what as to kindness?—A. They were always fed, and if there was extra work to be done, they did it, as a rule.

Q. Did you observe any cruelty practiced upon the prisoners?—A. The prisoners we had captured?

Q. Yes.—A. No, sir; none that I can think of.

By Senator PATTERSON:

Q. After they commenced the water cure, how many prisoners do you know of being captured?—A. Do you mean by our company or by other companies?

Q. By your command, the command you were with.

The CHAIRMAN. What you know yourself.

A. There were very few. I do not think over four or five all told.

By Senator PATTERSON:

Q. By your command?—A. Yes, sir.

Q. And that covered how long a period of time?—A. We left the province in the last part of September.

Q. What province was that?—A. Ilocos Norte.

Q. That is in the island of Luzon?—A. Yes, sir.

Q. You speak of natives running away from towns when you approached. Did you have in mind any special case or did it apply to all towns that you approached?—A. The town I was speaking of at the time was a special town; it is known as Taytay.

Q. And you approached that in a line of fire?—A. Yes, sir.

By Senator BEVERIDGE:

Q. You spoke about Taytay and our advance on Taytay. Taytay is a considerable village, is it not?—A. Yes, sir; a city.

Q. It is a city?—A. Yes, sir.

Q. Was there any burning done there?—A. Yes, sir; there was a big church burned.

Q. Who fired that?—A. I think it was fired by shells——

Q. First, what regiment did you belong to?—A. The Twelfth.

Q. You made the charge, then, across the open?—A. Yes, sir.

Q. And two of your men were killed?—A. Yes, sir.

Q. Early in the morning?—A. Yes, sir; Smith and Warner.

Q. Yes, Smith and Warner; and General Lawton came up and ordered that charge?—A. Yes, sir.

Q. And before that charge the church was burning, was it not?—A. Yes, sir.

Q. When you got into the town, you found it evacuated, did you not?—A. Yes, sir.

Q. Is it not a fact that the church there—as was the case of the church at San Fernando—was fired by the insurgents before they left?—A. I am going by hearsay.

Senator RAWLINS. This is not proper, Mr. Chairman.

A. (Continuing) Some of the fellows say the shells fired the church and some of the fellows say that the insurgents themselves set fire to the church before they got out of the town. But the church was burned.

By Senator BEVERIDGE:

Q. There is no question about the church being burned. Was there single house of Taytay fired by our troops?—A. No; unless it was that church fired by shells.

Q. Your own opinion about that is what?—A. That they set fire to the church themselves before they evacuated the town. It was their stronghold in the town.

Q. What is the fact generally about churches being fired?—A. They are generally burned by the insurgents when they get out.

Q. What about the one at San Fernando?—A. I don't know who burned it.

Q. It was burning when the American forces entered, was it not?—A. Yes, sir.

Q. So that the Americans did not burn it?—A. No, sir.

Senator BEVERIDGE. That is all I wish.

By Senator RAWLINS:

Q. Were you present at San Fernando at the time of the advance on that town?—A. No, sir.

Q. Then you do not know about it except from hearsay?—A. No, sir.

By Senator BEVERIDGE:

Q. Did you go up with the troops of General MacArthur?—A. No, sir.

Q. You came later?—A. Yes, sir.

Q. You were not in the first advance, but you did make that charge at Taytay?—A. Yes; at Taytay.

(Witness excused.)

The CHAIRMAN. I expected another witness who was summoned this morning, but he has not appeared; in fact, we had summoned two other witnesses.

Thereupon, at 11.15 o'clock, the committee adjourned until to-morrow, Tuesday, May 6, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Tuesday, May 6, 1902.*

The committee met at 10.45 a. m.

Present, the chairman, and Senators Allison, Beveridge, Dietrich, Rawlins, Carmack, Culberson.

The CHAIRMAN. I have the following to submit to the committee:

WAR DEPARTMENT,
Washington, May 5, 1902.

DEAR SIR: I have the honor to transmit a list of over 350 officers and enlisted men of the United States Army who have been tried by court-martial in the Philippine Islands for offenses against natives. I also transmit a list of natives and others who have been tried by military commission for cruelty to soldiers in violation of the laws of war. I remain,

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,
*Chairman Committee on the Philippines,
United States Senate.*

Name.	Offense and date of its commission.	Sentence.			Remarks.
		Death.	Life.	Years.	
Raimondo Hermanes, a native.....	Murdering Q. M. Sergt. Albert Votrie, Company K, Thirty-ninth Infantry, U. S. V.; assaulting with intent to kill Corpl. Isaac Evans, Company K, Thirty-ninth Infantry, U. S. V.; and assaulting with intent to kill Pvt. Edward Behring, Company K, Thirty-ninth Infantry, U. S. V., at Bagbay, Luzon, P. I., Feb. 2, 1900.	Yes.....	.....	.....	Committed to imprisonment at hard labor for 20 years.
Nicacio Leonor, a native.....	Murdering Q. M. Sergt. Albert Votrie, Company K, Thirty-ninth Infantry, U. S. V.; assaulting with intent to kill Corpl. Isaac Evans, Company K, Thirty-ninth Infantry, U. S. V.; and assaulting with intent to kill Pvt. Edward Behring, Company K, Thirty-ninth Infantry, U. S. V., at Bagbay, Luzon, P. I., Feb. 2, 1900.	Yes.....	.....	.....	Committed to 20 years.
Juan Tuson, a native.....	Murdering Q. M. Sergt. Albert Votrie, Company K, Thirty-ninth Infantry, U. S. V.; assaulting with intent to kill Corpl. Isaac Evans, Company K, Thirty-ninth Infantry, U. S. V.; and assaulting with intent to kill Pvt. Edward Behring, Company K, Thirty-ninth Infantry, U. S. V., at Bagbay, Luzon, P. I., Feb. 2, 1900.	Yes.....	.....	.....	Committed to 20 years.
Macario Estrella, a native.....	Assaulting with intent to murder Serg. Charles W. Ray, Company I, Twenty-second U. S. Infantry, at San Fernando, P. I., Mar. 15, 1900.	.....	Yes.....	.....
Vicente Prado, a native.....	Murdering two Americans, Anthony Gurzinsky, Company C, Thirteenth U. S. Infantry; other party, name unknown, Apr. 2, 1900; murdering two Igorrotes, names unknown, May 3, 1900; murdering Fruto M. Flavia and his son Francis, May 3, 1900; engaging in guerrilla warfare, capturing and murdering Anthony Gurzinsky, Company C, Thirteenth U. S. Infantry, and confining as prisoners Ciriaco de la Pena, Antonio Meneses, Tomas Estrada, Moresto Miriang, Tomas Molino, Domingo Salcedo, and others, natives, during months of Mar., Apr., May, 1900; burning San Jacinto, P. I., Apr. 21, 1900, all at Rosario, Luzon, P. I.	Yes.....	.....	.....
Inocencio Prado, a native.....	Murdering two American soldiers, names unknown, Apr. 2, 1900; causing to be killed two Igorrotes, names unknown, and murdering Fruto M. Flavia and his son Francis, May 3, 1900; engaging in guerrilla warfare, destroying houses, etc., at San Jacinto, P. I.; capturing and killing Anthony Gurzinsky, Company C, Thirteenth U. S. Infantry, Mar. 21, 1900, all at Rosario, Luzon, P. I.	Yes.....	.....	.....
Benito Amanecc, a native.....	Murdering, as leader of band, Doroteo Bautista, Tomas Venezuela, Mariano de Guzman, Augustine Castillo, natives, and with assault and attempt to murder Balerio Arcangel, Dec. 18, 1899, at Pozorublo; redacting arrest and assaulting his captors with intent to kill Andres Paragua, Teodorico de la Pena, Lorenza Guzman, Martin Simon, Marcelo de la Pena, Inocencio Mejia, Francisco Castillo, native soldiers, June 15, 1900, at San Jacinto, P. I., and Matias Lechica, Juan Cara, Policarpio de Aquino, Benigno Sinin, Silverio Andana, native policemen, July 7, 1900, at Mangaldan, Luzon, P. I.	Yes.....	.....	.....

Defendant	Allegation	Verdict	Charge	Punishment
Teodoro Novillo, captain, insurgent army	Abduction of Tomas Venustiano Sanchez, husband of Juana Arce, with intent to kill (murder of Juana Arce); murdering Tomas Venustiano Sanchez, husband of Juana Arce, at Aguascalientes, Mexico, Dec. 14, 1900, at Pinar del Rio, P. I.	Yes	Abduction charge proved; unknown to Spanish or American law.	Committed to life sentence.
Leon Carig, a native	Murdering an American soldier, by causing him to be buried alive, Apr. 12, 1901, at Baler, Luzon, P. I.; murder, by compelling one Tomas Canillo to kill one Manuel Rodriguez, Mar. 1, 1900, at Baler, Luzon, P. I.	Yes		Ordered released.
Armando de los Santos, Antonio San Pablo, Jimas de los Santos, Alonzo Reyes, Ciraco Sando de los Santos, Jose Monreal, natives	Murdering John W. Stanford, Company K, Twenty-fourth Infantry, Feb. 10, 1901, at Tayug, P. I.	Yes		Sentence in case of Jose Monreal commuted to 20 years.
Pablo Tabares, a native	Murdering Archibald B. Wilton, an Englishman; robbery from said Wilton of \$2,000, Mexican money, at El Depandi, P. I., Nov. 3, 1900.	Yes		
Eladio Jilarion, a native	Murdering Private George O. Hill, Company H, Eighteenth Infantry, by aiding and abetting policemen Eladio Jilarion and Placido Heblia; suppressing knowledge of same by issuing commands to said policemen, July 18, 1900; arson, burning 100 houses, Dec. 14, 1900, at Cabatuan, Panay, P. I.	Yes		
Julian Confesor, a native	Murdering Private Geo. O. Hill, Company H, Eighteenth Infantry; Cabatuan, Panay, P. I., July 18, 1900.	Yes		
Agustin Jilora, a native	Murdering Private Geo. O. Hill, Company H, Eighteenth Infantry; suppressing information of murder, July 18, 1900; war traitor, furnishing information and supplies, July 20, 1900; aiding and abetting the enemy, giving supplies, etc., July 20, 1900; violations of laws of war; after taking oath of allegiance, burn houses at Cabatuan, Dec., 1900, all at Cabatuan, P. I.	Yes		
Simplicio Geronilla, a native	War traitor, furnishing supplies, information, etc.; aiding and abetting the enemy, collecting and issuing supplies, Aug. 1, 1900; violations of laws of war; after taking oath of allegiance did furnish supplies, Dec. 3 and 6, 1900; arson, Dec. 14, 1900; murdering Geo. O. Hill, private, Company H, Eighteenth Infantry, July 19, 1900; being a war rebel, Dec. 3, 1900, all at Cabatuan, Panay, P. I.	Yes	Ordered released.	
Damaso Bisating, a native	Murdering Private Benson and Barry, Troop C, Third Cavalry, at Badjien, Bangar, Union Province, Jan. 12, 1900.	Yes		
Roque Calingao and Santos Agosto, natives	Murdering Private Jas. T. Burgey, Company C, Twenty-sixth Infantry, U. S. V., Aug. 17, 1900; murdering Gervacio Bessa, native, Aug. 29, 1900, all at Tuburan, Panay, P. I.	Yes		
Luis Lopez, Gregorio Onahin, Felipe Carino y Barnachen, Jacinto Abad, natives	Murdering American soldier, Company K, Fifth Infantry, at Dutsut, Ilocos Norte, P. I., Dec. 31, 1900.	Yes		
Dionisio Corpus, native	Murdering American prisoner Sullivan and prisoner Jas. L. Husketh, Company H, Twenty-ninth Infantry, U. S. V., at Rancheria Sabed, Luzon, P. I., Mar., 1900.	Yes	Ordered released.	
Catilino Ortiz Luis, a native	Murdering in violation of laws of war prisoner Sullivan and prisoner Jas. L. Husketh, Company H, Twenty-ninth Infantry, U. S. V., at Rancheria Sabed, Luzon, P. I., Mar., 1900.	Yes	Ordered released.	
	Assaulting with intent to murder Sgt. Chas. W. Ray, Company I, Twenty-second U. S. Infantry, Mar. 15, 1900; Han Fernando, P. I.; abduction of Francisco Tobias, Paula Tobias, and Francisco Magna, native women, Apr. 16, 1901, Caliao, P. I., and robbing said persons of sums of money, value unknown.	Yes	Committed to 10 years.	

Name.	Offense and date of its commission.	Sentence.			Remarks.
		Death.	Life.	Years.	
Esteban San Juan, a native	Murdering Privates Chas. R. White and Thos. H. Mathis, Company H, Fourth U. S. Infantry, at Tres Pozos, Cavite, P. I., Feb. 13, 1901.	Yes .....	.....	.....	Ordered released.
Pedro A. Cruz, a native	Murdering, in violation of the laws of war, Prisoner Jas. R. Husketh, Company H, Twenty-ninth Infantry, U. S. V., and one Sullivan, a commerciante at Sabel, San Juan, P. I., Mar., 1900.	.....	.....	20	
Juan M. Gutierrez, a native	Murdering, in violation of the laws of war, Prisoners Jas. Husketh, Private, Company H, Twenty-ninth Infantry, U. S. V., and Geo. Sullivan, at Sabel, P. I., Mar., 1900.	Yes .....	.....	.....	Commuted to life sentence.
Juan Biron, a native	An accomplice in assaulting and maiming Scout Felix Losedo at Bacaran, P. I., Feb. 26, 1901.	.....	.....	15	
Juan de Jesus and Roque Escarios, natives	Murdering, in violation of laws of war, two American soldiers, names unknown, at San Pedro, N. Luzon, P. I., Feb. 13, 1901.	Yes .....	.....	.....	Ordered released.
Juan Ramirez, a native	Misconduct and neglect of duty as presidente, suppressing information of murder of American soldiers, Feb. 14, 1901; issuing threats to his command, Feb. 15, 1901; ordering soldiers buried to conceal crime, Feb. 14, 1901; furnishing supplies to enemy, Jan. 10, 1901, at Cordon, N. Luzon, P. I.	Yes .....	.....	.....
Agapita Ygnacio, Pio Sacdalan, Benito Clemor, natives	Murdering American officer and soldier, names unknown, at Talipapa, Luzon, P. I., July 13, 1900.	.....	Yes .....	.....	Commuted to life sentence.
Mariana Cruz, Marcelino Trapel, natives	Murdering Crestof A. Fiedler, corporal, Company F, Third Infantry, at San Vicente, Bulacan, P. I., Sept. 29, 1900.	Yes .....	.....	.....
Isidoro Torres, a native	Murdering, in violation of laws of war, Corpl. Crestof A. Fiedler, Company F, Third United States Infantry, at San Vicente, Bulacan, P. I., Sept. 29, 1900.	Yes .....	.....	.....	Commuted to thirty years.
Emilio Santa Maria, a native	Murdering, in violation of laws of war, an American soldier, name unknown, at Ylogbacod, Luzon, P. I., Oct. 8, 1900.	Yes .....	.....	.....
Gabino de la Cruz, a native	Murdering an American soldier, name unknown, at Bocaue, Bulacan, P. I., June 1, 1899.	Yes .....	.....	.....	Mitigated to 5 years.
Abadon Layug, a native	Manslaughting, in killing an American soldier (name unknown) at San Augustin, P. I., on Dec. 28, 1899.	.....	.....	20	
Jacinto Viernes, a native	Manslaughting, in killing an American soldier (John Q. A. Carter, private, Company L, Twelfth U. S. Infantry), who had been placed over him as a sentry, near Paniquil, P. I., on Dec. 31, 1899.	Yes .....	.....	.....	Commuted to life imprisonment.
Flaviano Mondoncello, Alejandro Marinduque, Baldimero Danao, Flaviano Malana, and Branillo Montegudo, natives	Murder of five American soldiers (Privates Edward L. Matthews, Gabriel McLeod, James Morris, and Wm. J. White, Company A, Twenty-fourth U. S. Infantry), at Naguillian, P. I., on Jan. 12, 1900.	Yes .....	.....	.....

For fuller details of these cases see Exhibit G, Senate Doc. No. 205, part 2, page 335, Fifty-seventh Congress, first session.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Discharge.	Forfeiture of pay and allowances.	Confinement.	
Geo. F. Townsend, Company B, Twenty-third Infantry. Jas. A. Risher, Company B, Twenty-third Infantry.	Assaulting native in shop with intent to do him harm. Oct., 1898. (62d A. of W.)	No.....	\$30.....	3 months.....	
	Entering house and demanding money and striking native over eye. Nov., 1898. (62d A. of W.)	No.....	\$60.....	6 months.....	
	Taking fish from natives and selling same for \$40 Mexican. (collecting toll from Chinaman to amount of \$1. (62d A. of W.) March, 1899.	Yes.....	Yes.....	1 year.....	
Oliver Smith, Company A, Twentieth Infantry. Walter Turnbull, Jr., Company I, Fourteenth Infantry.	Larceny of 67 cents from native. (62d A. of W.) March, 1899.	No.....	\$40.....	.....
	Assault and battery by wounding native woman on head with bayonet, Feb., 1899, and creating disturbance in native shop by assaulting proprietor while drunk, March, 1899. (62d A. of W.)	Yes.....	Yes.....	3 years.....	
John R. Roberts, Company I, Twenty-ninth Infantry.	Larceny of pocket knife from native; value, 7 cents Mexican; June, 1899. (58th A. of W.)	No.....	\$30.....	.....
William W. Morgan, Company M, Twentieth Infantry.	Larceny of \$40, property of native, Mar., 1899. (58th A. of W.)	Yes.....	Yes.....	18 months.....	
John C. Lund, Company G, Twentieth Infantry.	Larceny of watch of native, May, 1899. (58th A. of W.)	Yes.....	Yes.....	2 months.....	Confinement remitted.
Frank Roberts, Company K, Twentieth Infantry.	Assaulting native, etc., while drunk, May, 1899. (62d A. of W.)	No.....	\$10.....	.....
William F. Malone, Hospital Corps.	Creating disturbance in house of native, etc., May, 1899. (62d A. of W.)	No.....	\$20.....	.....
Conrad Williams, Company C, Fourth Infantry.	Assaulting native with intent to do bodily harm, Apr., 1899. (62d A. of W.)	Yes.....	Yes.....	6 months.....	
John C. Goddard, Company F, Fourth Infantry.	Larceny of 3 packages of cigarettes (value, 30 cents), from native, May, 1899. (58th A. of W.)	Yes.....	Yes.....	18 months.....	1 year remitted.
Joseph Ward, Company F, Sixteenth Infantry. John H. Adams, Company I, Thirteenth Infantry. Willie Haysen, Company A, Twentieth Infantry.	Trespass by taking, value \$6, property of native, July, 1899. (62d A. of W.)	No.....	\$60.....	6 months.....	
	Robbery of horse, value \$20, property of native, June, 1899. (58th A. of W.)	Yes.....	Yes.....	6 months.....	
	Entering house at night and compelling native to open trunk and taking therefrom \$25 silver, Apr., 1899. (58th A. of W.)	Yes.....	Yes.....	5 years.....	

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Frank Bedee, Company G, Twentieth Infantry.	Entering house and assaulting native by pulling him out of bed and striking him with his fist, June, 1899. (62d A. of W.)	No.....	\$30.....	.....
Joseph C. Carlin, Battery L, Third Artillery.	Ordering and eating meal in Chinese restaurant and leaving without paying for it, Feb., 1899. (62d A. of W.)	No.....	\$2.....	.....
Owen E. Benson, Company F, Fourth Infantry.	Larceny of 1 dozen bananas, property of native, May, 1899. (62d A. of W.)	Yes; but remitted	Yes; but remitted to \$30.	3 months	
Frank McDonald, Company L, Twenty-first Infantry.	Larceny of \$107 Mexican, property of native, Aug., 1899. (58th A. of W.)	Yes.....	Yes.....	3 years.....	
John Hopper, Company L, Twenty-first Infantry.	Larceny of \$20 Mexican, property of natives, Aug., 1899. (58th A. of W.)	Yes.....	Yes.....	2 years.....	
George S. Norton, Company G, Twenty-third Infantry.	Extorting, by threats of arrest, \$10 from native April 26, 1899. (62d A. of W.)	Yes.....	Yes.....	4 months	
John H. Rafferty, Band, Twenty-second Infantry.	Robbing native of one-half peseta, June, 1899. (62d A. of W.)	Yes.....	Yes.....	2 years, reduced to 1	
Wm. J. Ready, Company F, Fourth Infantry.	Larceny of watch, value \$8, property of native woman, Aug., 1899. (62d A. of W.)	Yes.....	Yes.....	1 year	
David Barnes, Company G, Seventeenth Infantry.	Larceny of watch, value \$5, property of native, June, 1899. (58th A. of W.)	Yes.....	Yes.....	1 year	
W. Strouse, Company F, Fourth Infantry.	Larceny of watch, value \$8, property of native woman, Aug., 1899. (62d A. of W.)	Yes.....	Yes.....	1 year	
Thomas McCoy, Company L, Thirteenth Infantry.	Larceny of jewelry, value \$100 Mexican; also 50 cents Mexican and 3 cigars, property of natives, Sept., 1899. (58th A. of W.)	Yes.....	Yes.....	5 years.....	
George T. Bowman, Company K, Ninth Infantry.	Larceny of jewelry worth \$20, property of native woman, Aug., 1899. (58th A. of W.)	Yes.....	Yes.....	8 months	
Charley Bell, Company I, Seventeenth Infantry.	Larceny of \$6.50, property of a native, March, 1899. (58th A. of W.)	Yes.....	Yes.....	6 months	
Patrick J. Murphy, Company A, Third Infantry.	Entering house while drunk and abusing native woman, Aug., 1899. (62d A. of W.)	Yes.....	Yes.....	2 years	
Henry Keppen, Company A, Third Infantry.	Entering house while drunk and being disorderly, threatening to strike with cane one native woman and wounding another with knife, Aug., 1899. (62d A. of W.)	Yes.....	Yes.....	4 years reduced to 8 years.	
Thomas L. Yancey, Battery L, Third Artillery.	Assaulting native and drawing revolver on him, Sept., 1899. (62d A. of W.)	No.....	1 month's pay .....	.....	The sentence is grossly inadequate for the punishment of the serious crime.

Report of Officer, Name of Unit	Accounting native woman by stealing a child of her and putting her to death in connection Sept. 1899. (58th A. of W.)	No.	1 month's pay	18 days	The sentence, although deemed inadequate, is approved.
Frank Mough, Troop K, Fourth Cavalry	Extortion of jewelry worth \$100 from house of native Sept., 1899. (58th A. of W.)	Yes	Yes	1 year	
John D. Chapman, Company I, Twenty-second Infantry	Robbing native of 6 cents worth of peanuts (58th A. of W.) and taking 4 bananas and a piece of candy from native stand, July, 1899. (62d A. of W.)	Yes	Yes	6 months	
Fred H. Braun, Company B, Twelfth Infantry	Robbing Chinaman of fruit on road and native of \$1 Mexican, June, 1899. (58th A. of W.)	Yes	Yes	1 year	
John Nitchie, Battery H, Sixth Artillery	Larceny of a watch, value \$20, property of a native, Sept. 7, 1899. (58th A. of W.)	Yes	Yes	1 year	
Louis Lydecker, Battery M, Sixth Artillery	Demanding bribe of \$15 and \$12.60 Mexican from native woman, Aug. and Sept., 1899. (62d A. of W.)	Yes	Yes	1 year	
Evan C. Davis, Battery H, Sixth Artillery	Taking combination padlock, value \$1.50 Mexican, property of native, Sept., 1899. (62d A. of W.)	No	\$20		
Charles H. Richardson, Company M, Fourteenth Infantry	Assaulting and robbing a Chinaman of 25 pesos Mexican and chain, value 1 peso, Oct., 1899. (58th A. of W.)	Yes	Yes	3 years	
Charles O. Dawson, Company M, Fourteenth Infantry	Assaulting and robbing a Chinaman of 25 pesos Mexican and chain, value 1 peso, Oct., 1899. (58th A. of W.)	Yes	Yes	2 1/2 years	
Charles Wenner, Company M, Fourteenth Infantry	Assaulting and robbing a Chinaman of 25 pesos Mexican and chain, value 1 peso, Oct., 1899. (58th A. of W.)	Yes	Yes	2 1/2 years	
Frank Jones, Company G, Twentieth Infantry	Arresting without authority and attempting to extort money from a Chinese vender, Nov., 1899. (62d A. of W.)	No	\$90		
Second Lieut. Wm. M. Capp, Sixth U. S. Artillery	Causing, without sufficient provocation, shots to be fired from gunboat on peaceable natives, and permitting landing party to carry away merchandise and ordering them to take 20 gallons of oil and 2 barrels, in violation of G. O., July 23, 1899. (62d A. of W.)	Reprimand by reviewing authority			It is no justification to urge in defense ignorance of General Order. * * * The accused, having been convicted of offenses among the most serious and flagrant known to the rules and laws of war, should have been adjudged a sentence commensurate with his guilt as established by the evidence, leaving to the reviewing authority the exercise of any clemency that might be deemed proper.
Dave Alexander, Company C, Twenty-third Infantry	Robbing 2 Chinamen of \$32 and \$15, Mexican, respectively, Mar., 1899, etc. (58th A. of W.)	Yes	Yes	1 year	

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Arnold E. Carver, Company D, Twentieth Infantry.	Entering saloon and when refused a drink on credit, striking a native proprietor with fists and breaking 3 bottles of wine and some furniture, Aug., 1899. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
John Ryan, Battery M, Sixth Artillery.	Wounding native on head with heavy bottle without provocation, Aug., 1899. (62d A. of W.)	No.....	\$120.....	No.....	
John D. Herbert, Battery C, Sixth Artillery.	Larceny of \$40 to \$50, property of native, Aug., 1899. (58th A. of W.)	No.....	\$60.....	No.....	
John D. Miller, Company G, Twentieth Infantry.	Aiding and abetting in robbing two houses of \$13 Mexican and \$8 worth of clothing, and in assaulting Chinaman, June, 1899. (58th A. of W.)	Yes.....	Yes.....	2 years.....	
James McCuba, Company G, Twentieth Infantry.	Entering store of Chinaman and wounding him on head with heavy glass and stabbing him with broken piece of glass, Aug., 1899. (62d A. of W.)	Yes.....	Yes.....	2 years.....	
John B. Hall, Company G, Twentieth Infantry.	Aiding and abetting in robbery of two houses of \$13 Mexican and \$8 worth of clothes, and in assaulting a native by striking him on the head with revolver, June, 1899. (58th A. of W.)	Yes.....	Yes.....	2 years.....	
J. T. U. Roe, Battery C, Sixth Artillery.	Robbing Chinaman of \$50.50, Aug., 1899. (58th A. of W.)	Yes.....	Yes.....	6 months.....	
Sidney Reece, Company E, Sixteenth Infantry.	Robbing Chinaman of \$4, July, 1899. (58th A. of W.)	Yes.....	Yes.....	3 months.....	
W. Callahan, Company H, Sixteenth Infantry.	Larceny of bottle of whisky, value \$3 Mexican, property of native woman, Aug., 1899. (58th A. of W.)	Yes.....	Yes.....	6 months.....	
John Corcoran, Company I, Sixteenth Infantry.	Larceny of ring, value \$3, property of native, Oct., 1899. (62d A. of W.)	Yes.....	Yes.....	18 months.....	
Joseph J. Faust, Company M, Seventh Infantry.	Assault and battery by kicking native woman in face, Oct., 1899. (62d A. of W.)	No.....	\$60.....	No.....	
Win. P. Leete, Company I, Thirteenth Infantry.	Larceny of \$6, property of Chinese cooly, Oct., 1899. (58th A. of W.)	Yes.....	Yes.....	1 year.....	
James Hason, Company B, Fourteenth Infantry.	Larceny of 5 gallons of vino, value \$2.50, property of native, Oct. 19, 1899 (58th A. of W.), etc.	No.....	\$40.....	4 months.....	
Adolph Johnson, Company B, Fourteenth Infantry.	Larceny of 5 gallons of vino, value \$2.50, property of native, Oct., 1899. (58th A.	No.....	\$40.....	4 months.....	

Company Name	Offense	Verdict	Penalty	Remarks
Company A, First Cavalry	Robbing native driver of goods and money, Nov. 1899. (5th A. of W.)	No	000	4 months
Company B, Second Cavalry	Intimidating and threatening to harm a native policeman, etc., Feb., 1900. (6th A. of W.)	Yes	Yes	
Company C, Third Cavalry	Faking suttry articles from native stores and threatening natives who pursued him and asked for pay, Feb., 1900. (6th A. of W.)	No	\$50	6 months
Company D, Fourth Cavalry	Robbing a native of a watch and chain, value \$10.00 Mexican (5th A. of W.), firing a revolver to intimidate natives (6th A. of W.), Apr., 1900.	Yes	Yes	1 year
Company E, Fifth Cavalry	Forcefully entering the house of a native and demanding beno and money, and brutally assaulting a native for refusing to comply with demand, Apr., 1900. (6th A. of W.)	No	\$72	6 months
Company F, Sixth Cavalry	Assaulting native by hitting and kicking, with intent to do bodily harm, Jan., 1900. (6th A. of W.)	Yes	Yes	3 months
Company G, Seventh Cavalry	Larceny of \$4.70 from native restaurant keeper, Jan., 1900. (5th A. of W.)	Yes	Yes	No
Company H, Eighth Cavalry	Assaulting two natives employed by Governor, by striking them with fist, Nov., 1899. (6th A. of W.)	No	\$30	3 months
Company I, Ninth Cavalry	Felonious assault upon native woman with sharp instrument, Nov., 1900.	No	\$30	3 months
Company J, Tenth Cavalry	Larceny of \$51 Mexican, from native woman, Nov., 1900.	Yes	Yes	3 years
Company K, Eleventh Cavalry	Annoying and frightening natives by pounding on their doors, Nov., 1900.	Yes	Yes	18 months
Company L, Twelfth Cavalry	Obtaining money from natives by false pretenses, Dec., 1900, (5th and 6th A. of W.)	Yes	Yes	3 years
Company M, Thirteenth Cavalry	Robbing native of \$2 Mexican, Feb., 1900. (5th A. of W.)	Yes	Yes	6 months
Company N, Fourteenth Cavalry	Robbing native of \$2 Mexican, Feb., 1900. (5th A. of W.)	Yes	Yes	6 months
Company O, Fifteenth Cavalry	Larceny of bottle of wine, value \$1, property of native, Feb., 1900. (5th A. of W.)	Yes	Yes	1 year
Company P, Sixteenth Cavalry	Loaded and fired rifle in house of ill-fame, Jan., 1901. (6th A. of W.)	No	\$40	4 months
Company Q, Seventeenth Cavalry	Attempt to force native to pay \$5 Mexican money.	No	\$50	6 months

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Fritz Krone, Company L, Fourteenth Infantry.	Hired bicycle; failed to pay rent or compensation and fraudulently signed fictitious name to receipt for use of bicycle, Feb., 1901. (62d A. of W.)	No.....	\$20.....	6 months.....	
Patrick Foley, Company L, Fourteenth Infantry.	Hired bicycle and failed to return it and fraudulently signed fictitious name to receipt for use of same, Feb., 1901. (62d A. of W.)	No.....	\$20.....	3 months.....	
James C. Dickinson, Troop D, Third Cavalry. William Cowdery, Company F, Twenty-second Infantry.	Stopping natives and threatening to stone them, etc., Feb., 1900. (62d A. of W.)	No.....	\$60.....	6 months.....	Mitigated to 1 year and forfeiture of \$144.
	Larceny of 2 bottles of beer, value \$1. Mexican property of a native; catching hold of, dragging, and shaking a native woman violently, Apr., 1899. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Nelson Thomas, Company F, Thirty-fourth Infantry.	Entering a church and disturbing the women and children during divine service, Mar., 1900. (62d A. of W.)	Yes.....	Yes.....	2 years.....	One year remitted.
Clarence R. Moore, Company H, Thirty-fifth Infantry.	Searching the house of a native without proper authority, and larceny of a fork and peso, total value \$1, etc., Apr., 1900. (62d A. of W.)	No.....	\$30.....	3 months.....	
Clyde L. Ferguson, Company Sixteenth Infantry.	Entering native house and throwing bottle at inmate, Nov., 1899, etc. (62d A. of W.)	Yes.....	\$60.....	6 months.....	
Robert E. Lydon, Company I, Twenty-second Infantry.	Creating disturbance in native house and striking woman with fist, Oct., 1899. (2d A. of W.)	Yes.....	\$30.....	3 months.....	
Wm. C. Hohlman, Company A, Thirty-eighth Volunteer Infantry.	Taking from native woman bananas, value, 5c., Feb., 1900. (62d A. of W.)	No.....	\$30 reduced to \$20.....	No.....	
Jas. J. McCarthy, Company F, Twelfth Infantry.	Larceny of several articles, of value \$1 Mexican, property of native woman. Mar., 1900. (58th A. of W.)	Yes.....	Yes.....	3 years reduced to 1....	
John Simpson, Company B, Thirteenth Infantry.	Annoying while drunk natives at work and striking one on head with bottle, Feb., 1900, etc. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Phillip Hardley, Company I, Fourteenth Infantry.	Entering house of ill-fame with a belt and magazine rifle, Jan., 1901. (62d A. of W.)	No.....	\$72.....	6 months.....	
Bruce C. Walsh, Company M, Fourteenth Infantry.	Robbery of money from the person, about \$5, Mar., 1901. (62d A. of W.)	Yes.....	Yes.....	3 years.....	

Harry B. Parker, Company M, Thirty-fourth Volunteer Infantry	Larceny of 6 eggs, value 10 cents, 1 half value 2½ cents, and 10 cents in money, property of 3 natives, respectively, Jan., 1900. (58th A. of W.)	Yes	Yes	6 months
Charles France, Company K, Sixteenth Infantry	Larceny of \$20 Mexican from house of native woman, Jan., 1900. (58th A. of W.)	Yes	Yes	3 years
Clark E. Ferguson, Company K, Sixteenth Infantry	Larceny of \$20 Mexican from house of native woman, Jan., 1900. (58th A. of W.)	Yes	Yes	3 years reduced to 3...
Joseph McIntyre, Company B, Sixteenth Infantry	Striking native in face with fist, Feb., 1900. (62d A. of W.), etc.	Yes	Yes	2 years
A. E. Devault, Company K, Sixteenth Infantry	Larceny of \$20 Mexican from house of native woman, Jan., 1900. (58th A. of W.)	Yes	Yes	3 years reduced to 3...
William H. Welch, Company A, Thirty-sixth Volunteer Infantry	Two assaults with intent to commit rape on natives (58th A. of W.), and assault on native man, Mar., 1900. (62d A. of W.)	Yes	Yes	10 years
Geo. W. Harlan, Company K, Thirty-sixth Infantry	Committing an unnatural crime on a native boy, Mar., 1900. (62d A. of W.)	Yes	Yes	20 years
William Scruggs, Company A, Forty-ninth Infantry	Robbing a native of 6 pesos, Apr., 1900. (58th A. of W.)	Yes	Yes	2 years
Thos. E. Lewis, Company A, Forty-ninth Infantry	Assaulting a native, Apr., 1900. (62d A. of W.)	No	No	1 month
Leonard Davenport, Company A, Forty-ninth Volunteer Infantry	Robbing a native of 5 pesos, Apr., 1900. (58th A. of W.)	Yes	Yes	2 years
John J. Carey, Company C, Third Infantry	Robbing native of \$15 Mexican, Feb., 1900. (58th A. of W.)	Yes	Yes	1½ years
Edw. F. Nugent, Company K, Twenty-second Infantry	Stabbing native prisoner with intent to murder, Feb., 1900. (58th A. of W.)	Yes	Yes	2 years, reduced to 1 year.
Henry C. Gray, Company M, Thirty-fifth Volunteer Infantry	Mayhem, by biting native on head and hand, Jan., 1900, etc. (58th A. of W.)	No	\$80	9 months
Wilson A. White, Company L, Thirty-sixth Volunteer Infantry	Creating disturbance in native house and threatening to assault inmate, etc., Feb., 1900. (62d A. of W.)	No	\$120	6 months
Thomas J. Scanlan, Company G, Twenty-second Infantry	Larceny of \$120 Mexican from house of native. (58th A. of W.)	Yes	Yes	1 year
John A. Johnson, Company G, Twenty-fifth Infantry	Assault—menacing native with loaded revolver, Jan., 1901. (62d A. of W.)	No	\$80	6 months
Joseph E. Feron, Company K, Fortieth Volunteer Infantry	Assault and battery by striking native with his hand, Nov., 1900. (62d A. of W.)	No	\$48	2 months

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Harry Sleet, Company I, Thirty-first Volunteer Infantry.	Did aid comrade to attack and beat a defenseless native, Oct., 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	Reviewing authority remarked that death penalty should have been inflicted.
A. Dobby, Company F, First Wyoming Volunteers.	Did plunder and pillage native houses, Aug., 1898. (42d A. of W.)	No.....	\$10.....	2 months.....	
Julius Arnold, Company M, Twenty-fifth Infantry.	Did murder a native woman by shooting her with pistol, Jan., 1900. (58th A. of W.)	Yes.....	Yes.....	Life.....	
Edward L. Barrett, unassigned, Seventeenth Infantry.	Assault with intent to commit rape, Sept., 1899. (58th A. of W.)	Yes.....	Yes.....	10 years reduced to 3 years.	Reviewing authority remarked that death penalty should have been inflicted.
Cornelius Stokes, Company E, Forty-eighth Volunteer Infantry.	Entering native house in violation of standing orders, Aug., 1900. (62d A. of W.)	Yes.....	Yes.....	5 years.....	
Geo. W. Dawson, Company E, Forty-eighth Volunteer Infantry.	Robbery of \$5 (58th A. of W.), assault with dagger, Aug., 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Daniel MacIntyre, Troop C, Third Cavalry.	Larceny of wine and money, total \$42 Mexican, Sept., 1900. (58th A. of W.)	No.....	\$60.....	6 months.....	Mitigated to 6 months confinement and forfeiture of \$72.
Rosser F. Hardin, Troop E, Third Cavalry.	Robbery of \$10.20, Dec., 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	
James Cutland, Company I, Fifth Infantry.	Burglary with intent to commit larceny, Dec., 1900, and entering native houses in violation of standing orders, Dec., 1900. (21st A. of W.)	No.....	\$60.....	6 months.....	
August J. Dahn, Company I, Fifth Infantry.	Burglary with intent to commit larceny, Dec., 1900. (58th A. of W.)	No.....	\$60.....	6 months.....	Mitigated to 6 months confinement and forfeiture of \$72.
Patrick Ahern, Company I, Twelfth Infantry.	Larceny of 2 bottles of whisky, value 8 pesos, Jan., 1901. (58th A. of W.)	Yes.....	All save \$25.....	18 months.....	
James C. Mahoney, Company M, Twelfth Infantry.	Robbery of 5 gallons of vino, value \$3 Mexican, Jan., 1901. (58th A. of W.)	Yes.....	All save \$25.....	1 year.....	
Louis R. Stroup, Company M, Twelfth Infantry.	Robbery of 5 gallons of vino, value \$3 Mexican, Jan., 1901. (58th A. of W.)	Yes.....	All save \$25.....	3 months.....	Remitted, dishonorable discharge, and forfeiture of all pay and allowances.
John J. McInerney, Company M, Thirty-fifth Infantry, Volunteers.	Assaulting native by tearing his shirt and striking at him with bolo, Mar., 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
John Heardon, Company I, Thirteenth Infantry.	Breaking into native house and striking woman therein, Feb., 1900, etc. (62d A. of W.)	No.....	\$60.....	6 months.....	

acute torture," and his ap-
 plications "can not be too much
 deplored nor too emphat-
 ically denounced."

The court is thus lenient on
 account of the circum-
 stances in this case and
 the length of time the
 accused has already been
 in confinement.

Patrick Collins Company G, Fourteenth Infantry.	Robbery of two bottles of vino from native woman, Apr., 1900. (58th A. of W.)	Yes	Yes.....	6 months
John King, Battery E, Sixth Artillery.	Felonious entry of native house and lar- ceny of four pesos, May, 1900. (58th A of W.)	Yes.....	Yes.....	2 years
James W. Cuer, Battery E, Sixth Artillery.	Felonious entry of native house and lar- ceny of four pesos, May, 1900. (58th A. of W.)	Yes.....	Yes.....	2 years
Alfred Kruger, Battery E, Sixth Artillery.	Felonious entry of native house and lar- ceny of four pesos, May, 1900. (58th A. of W.)	Yes.....	Yes.....	2 years
Leonard F. Madden, Com- pany I, Fortieth Volun- teer Infantry.	Larceny, bottle of whisky, Mar., 1900. (58th A. of W.)	Yes.....	Yes.....	2 years
Nicholas W. Huskee, Com- pany K, Thirteenth In- fantry.	Forcibly entering a native house at night, terrorizing the inmates (62d A. of W.), robbing a native of a watch valued at \$12 Mexican, etc., Apr., 1900. (58th A. of W.)	No.....	\$30.....	3 months
Andrew Detterman, Com- pany C, Thirty-first Vol- unteer Infantry.	Obtaining money, merchandise, and liquor under false pretenses from a native by giving him a Confederate bill, Mar., 1900. (62d A. of W.)	Yes	Yes	1 year
William Rau, Company M, Thirteenth Infantry.	Forcibly entering a native house at night, terrorizing the inmates (62d A. of W.), robbing a native of a watch valued at \$12 Mexican, etc., Apr., 1900. (58th A. of W.)	Yes	Yes	2 years
Thomas H. Pettus, Company D, Thirty-fifth Infantry.	Assaulting and kicking a native, etc., May, 1900. (62d A. of W.)	No.....	\$40.....	4 months
Charles A. Roland, Com- pany B, Seventeenth In- fantry.	Creating disturbance in native house by asking for lewd women and striking native in face, Jan., 1900. (62d A. of W.)	No.....	\$30, reduced to \$30....	No.....
Silas E. Ferriek, Company H, Twenty-fourth Infantry.	Larceny of barrel of beer, value \$25, prop- erty of native, October 5, 1900. (58th A. of W.)	Yes	Yes	18 months
Joseph Green, Company H, Twenty-fourth Infantry.	Larceny of barrel of beer, value \$25, prop- erty of native, October 5, 1900. (58th A. of W.)	Yes	Yes	18 months
William J. Irwin, Company B, Forty first Volunteer Infantry.	Larceny of pair of alippers, value 75 cents, from native store, November, 1900. (58th A. of W.)	Yes	Yes; but reduced to \$30	6 months

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Daniel Higgins, Company G, Third Infantry.	Kicking and striking native brought to identify him, November, 1900. (62d A. of W.)	No.....	\$20.....	2 months; remitted....	
Samuel Blake, Company E, Thirty-fourth Volunteer Infantry.	Larceny of 3 cotton blankets, value unknown, December, 1900. (58th A. of W.)	No.....	\$20.....	No.....	
Thomas Doyle, Company G, Thirty-fourth Volunteer Infantry.	Assaulting native woman in her own house and discharging a loaded rifle, endangering the lives of many persons, November, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Frank K. Blatter, Company F, Thirteenth Infantry.	Terrorizing and assaulting natives, January, 1901. (62d A. of W.)	Yes.....	Yes.....	2 years.....	
John Greer, Company I, Twenty-second Infantry.	Larceny of clothing, value \$1.25, November, 1900. (58th A. of W.)	No.....	\$30.....	3 months.....	
Joseph Zoya, Company F, Twenty-second Infantry.	Larceny of personal property; value, \$8.53; November, 1900. (58th A. of W.)	No.....	\$50.....	5 months.....	
Frank P. Sullivan, Company I, Twenty-second Infantry.	Larceny of jewelry; value, \$14.25; November, 1900. (58th A. of W.)	No.....	\$60.....	6 months.....	
Fred Dodge, Troop D, Third Cavalry.	Assault and battery with intent to kill a native, November, 1900. (58th A. of W.)	Yes.....	Yes.....	3 years.....	
Richard Applewhite, Company G, Twenty-fifth Infantry.	Rape of a native girl 13 years of age, Jan. 21, 1901. (58th A. of W.)	Yes.....	Yes.....	20 years.....	
Charles A. Clark, Company —, Third Infantry.	Larceny of \$300, Mex., from sacristy of church of Paombong, November, 1900. (62d A. of W.)	Yes.....	Yes.....	3 years.....	
William J. Gleason, Company B, Thirteenth Infantry.	Robbery of beer; value, \$5 in gold; January, 1901. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Mitigated to confinement at hard labor for 8 months, forfeiting \$96.
Thomas M. Buist, Company B, Thirteenth Infantry.	Robbery of beer; value, \$5 in gold; January, 1901. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Mitigated to 8 months' confinement, forfeiting \$96.
James A. Boylan, Company B, Thirteenth Infantry.	Robbery of beer; value, \$5; January, 1901. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Mitigated to 8 months' confinement, forfeiting \$96.
Garfield Owens, Company B, Thirteenth Infantry.	Robbery of beer, value \$6 gold, January, 1901. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Mitigated to 8 months' confinement, forfeiting \$96.
John Brady, Company B, Thirteenth Infantry.	Robbery of beer, value \$6 gold, January, 1901. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Mitigated to 8 months' confinement, forfeiting \$96.
James Hall, Company B, Fourth Infantry.	Putting his arms around and threatening to strike native woman, July, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Jay J. Poffenholz, Company A, Fourth Infantry.	Entering house of and assaulting, by choking, and robbing native woman of	Yes.....	Yes.....	5 years.....	

Name of Soldier or Sailor.	Description of Offense.	Date.	Place.	Result.	Sentence.	Remarks.
Paul H. Powers, Company B, Thirtieth Infantry.	Robbing native of 25 pesos, (October, 1900) (62d A. of W.)	Yes	Yes	10 years, mitigated to 2 years.		
Walter Hedger, Company M, Twentieth Infantry.	Entering the house of a native and becoming drunk therein, etc., March, 1900 (62d A. of W.)	No	No	6 months		
Thomas H. Austin, Company I, Forty-second Volunteer Infantry.	Entering a native's store while drunk and roughly handling a Chinaman and native woman therein, robbing a native of \$10.40 Mexican, May, 1900. (62d A. of W.)	Yes	Yes	4 years; 2 years remitted.		
William Black, Troop D, Third Cavalry.	Entering a native's house with a drawn revolver, etc., May, 1900. (62d A. of W.)	No	No	4 months		
Frank A. Neary, Company G, Eighteenth Infantry.	Raising a disturbance in a native house, etc., June, 1900. (62d A. of W.)	Yes	Yes	1 year		Mitigated to 6 months and forfeiture of \$72.
Edward E. Lewis, Troop G, Third Cavalry.	Forcibly entering house of native and demanding liquor, February, 1901. (62d A. of W.)	No	No	1 month		
William K. Sutton, Company G, Twenty-fourth Infantry.	Larceny of wine and cigars valued at \$2.30, December, 1900. (62d A. of W.)	No	No	10 months		Mitigated to 4 months' confinement and forfeiture of \$40.
Iden L. Gault, Company G, Thirty-fourth Volunteer Infantry.	Robbing native of \$20 Mexican, August, 1900. (62d A. of W.)	Yes	Yes	6 years, reduced to 5.		
Grant McCaskell, Company K, Forty-ninth Volunteer Infantry.	Larceny of \$2 Mexican from native store, September, 1900. (62d A. of W.)	Yes	Yes	6 months		
George W. Johnson, Troop G, Fourth Cavalry.	Manslaughter, by shooting 3 natives with revolver, November, 1900. (62d A. of W.)	Yes	Yes	8 years		
Wm. F. Kenny, Troop L, Fourth Cavalry.	Entering native house and making indecent proposals to women and seizing 1 by the throat and drawing revolver to intimidate inmates, November, 1900. (62d A. of W.)	Yes	Yes	2 years		
Jas. H. Powers, Company H, Thirty-second Volunteer Infantry.	Striking native with fist in street, December, 1900. (62d A. of W.)	Yes	Yes	6 months		
Wm. P. O'Hara, Company A, Forty-first Volunteer Infantry.	Assaulting native with drawn revolver, December, 1900. (62d A. of W.)	Yes	Yes	6 months		
Chas. B. Schofield, Company A, Third Infantry.	Forcibly entering the house of a native, etc., May, 1900. (62d A. of W.)	Yes	Yes	5 years		Mitigated to 10 months and forfeiture of \$100.
John J. Moran, Company M, Thirtieth Infantry.	Entering a native's house and firing a pistol to compel a native to furnish him intoxicating liquors, etc., June, 1900. (62d A. of W.)	No	No	6 months		
Curtis E. Branka, Company C, Thirty-sixth Infantry.	Abetting assault with intent to commit rape (62d A. of W.), March, 1900.	Yes	Yes	5 years		

Memorandum in regard trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowance.	Confinement.	
James L. McEntyre, Company M, Thirteenth Infantry.	Entering a native's house and ordering intoxicating liquors while in a drunken condition; threatening a native who refused to bring him intoxicating liquors. June, 1900. (62d A. of W.)	No.....	\$30.....	8 months.....	
Frederick Reardon, Company I, Seventeenth Infantry.	Insulting, ill-treating, and assaulting a native man and woman, December, 1900. (62d A. of W.)	Yes.....	Yes.....	6 months.....	
Carlie Hamilton, Company I, Seventeenth Infantry.	Insulting, ill-treating and assaulting a native man and woman, December, 1900. (62d A. of W.)	No.....	\$30.....	.....
Charles Baldwin, Company K, Forty-ninth Volunteer Infantry.	Larceny of khaki trousers, value \$1.50, property of native tailor, and striking him with revolver, March, 1900. (62d A. of W.)	Yes.....	Yes.....	5 years.....	
Clyde Lorain, Company I, Twenty-second Infantry.	Using insulting and abusive language to native, September, 1900, etc. (62d A. of W.)	Yes, but remitted.....	Yes; reduced to \$48 ..	1 year; reduced to 4 months.	
Ashton McClellan, Company, Fourth Infantry.	Passing Confederate \$50 bill and receiving value and \$80 Mexican change, Oct. 14, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
John B. Lane, Company B, Thirtieth Volunteer Infantry.	Purchasing merchandise of value of \$3.50 on credit under assumed name, with intent to defraud native, Nov. (62d A. of W.), etc.	Yes.....	Yes.....	6 months.....	
John S. Anderson, Company A, Third Infantry.	Entering the house of a native and stealing ornaments, value less than \$20, July, 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	
Walter Netherland, Company H, Twenty-fourth Infantry.	Using insulting language to and laying violent hands upon a native woman, May, 1900. (62d A. of W.)	No.....	\$10.....	4 months.....	
George L. Moore, Troop F, Third Cavalry.	Robbing a native of \$50 Mex., April, 1900. (58th A. of W.)	No.....	\$120.....	1 year.....	
George W. Robinson, Company E, Thirty-third Infantry.	Threatening and intimidating natives to compel them to give him liquor, April, 1900. (62d A. of W.)	No.....	For 1 year.....	1 year.....	Mitigated to forfeiture of \$72 and confinement for 6 months.
Lawrence H. Murphy, Company A, Forty-second Volunteer Infantry.	Assaulting native by striking him on the head with beer bottle, March, 1900. (62d A. of W.)	No.....	\$60.....	6 months.....	
William Conner, Company F, Forty-sixth Volunteer Infantry.	Carelessly discharging rifle and killing native, March, 1900. (62d A. of W.)	Yes.....	Yes.....	3 months.....	

<div> (Both A. of W.) </div>	<div> Yes..... </div>	<div> Yes..... </div>	<div> Yes..... </div>	<div> 4 years..... </div>	<div> Act one of marked atrocity. </div>
Company D, Thirty-eighth Volunteer Infantry. Frank E. Betterman, (Company F, Thirty-eighth Volunteer Infantry). Oliver Williams, Company C, Forty-eighth Volunteer Infantry. Lamine Bryant, Company C, Forty-eighth Volunteer Infantry. (Orpl. Geo. C. Burke, Company M, Thirty-third Infantry). John Mack, Company A, Detach. Eng., U. S. A.	Yes.....	Yes.....	Yes.....	4 years.....	Act one of marked atrocity.
Manlaughter by killing Filipino with rifle, January, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	10 years.....	5 years remitted.
Attempt to rape native woman, January, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	10 years.....	
Attempt to rape native woman, January, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	10 years.....	
Threatening and intimidating natives, June, 1900. (62d A. of W.)	No.....	Reduced to rank and to forfeit 1 month's pay.	\$40.....	4 months.....	
Entering a native house and firing his carbine three times, endangering the lives of the occupants, and breaking and destroying furniture, dishes, etc., value about \$20, June, 1900. (62d A. of W.)	No.....	Yes.....	Yes.....	3 years.....	
Robbing a native of \$35, Mex., May, 1900. (52d A. of W.)	Yes.....	Yes.....	Yes.....	1 year.....	
Entering a native's house and demanding liquor, searching the house and striking the inmates, and contracting more debts with the natives than he could pay, May, 1900. (62d A. of W.)	Yes.....	Yes.....	Yes.....	6 months.....	
Assault and battery with intent to commit rape (62d A. of W.), and rendering arrest by native policeman. Assault upon same, March, 1901. (62d A. of W.)	No.....	\$30.....	Yes.....	3 months.....	
Assaulting violently a native woman and attempting to assault another, March, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	10 years.....	
Assault with intent to kill by shooting Filipino woman with pistol, November, 1899. (62d A. of W.)	Yes.....	Yes.....	Yes.....	2 years.....	
Assault and battery by striking natives with fist, April, 1900. (62d A. of W.)	Yes.....	Yes.....	Yes.....	1 year.....	
Larceny of \$20, Mexican, from Filipino woman, March, 1900. (62d A. of W.)	Yes.....	Yes.....	Yes.....	10 years.....	
Manlaughter by killing Filipino with rifle, January, 1900. (62d A. of W.)	No.....	\$45.....	Yes.....	6 months.....	
Did violently assault 2 native women with intent to commit rape, March, 1901. (52d A. of W.), and entering house of a native in disorderly manner and frightening 3 native women, March, 1901. (62d A. of W.)	No.....	Yes.....	Yes.....	6 months.....	

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Arthur B. Butler, Company A, Twenty-fifth Infantry.	Did violently assault 2 native women with intent to commit rape (58th A. of W.), March, 1901, and of entering house of a native in disorderly manner and frightening 3 native women, March, 1901. (62d A. of W.)	No.....	\$45.....	6 months.....	
Thomas Walsh, Company D, Twenty-fifth Infantry.	Did violently assault 2 native women with intent to commit rape (58th A. of W.), and of entering house of a native in disorderly manner and frightening 3 native women, March, 1901. (62d A. of W.)	No.....	\$45.....	6 months.....	
Charles F. Leely, Company H, Twenty-third Infantry.	Refusing to pay for drinks which he had ordered and assaulting native, etc., April, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Henry Williams, Company F, Forty-eighth Volunteer Infantry.	Robbing a native of \$135, Mexican, May, 1900. (58th A. of W.)	No.....	\$60.....	6 months.....	
Joe J. Alinworth, Company C, Third Infantry.	Knocking down and robbing a native of 3½ pesos (58th A. of W.), and other offenses under 62d A. of W., July, 1900.	Yes.....	Yes.....	6 years.....	
Thos. Gaffney, Company I, Twenty-seventh Infantry.	Manlaughter of a native, July, 1900. (58th A. of W.)	Yes.....	Yes.....	15 years.....	
Edward Finnegan, Company G, Twentieth Infantry.	Assault upon native on ship Tres Hermandes, and stealing 3 bottles of whisky, March, 1900. (62d A. of W.)	No.....	\$10.....	No.....	The court is thus lenient owing to the long confinement of the accused in the guardhouse.
Frank Miller, Company I, Twenty-third Infantry.	Rape, October, 1899. (58th A. of W.).....	.....	.....	Death.....	Sentence, death, commuted to dishonorable discharge, forfeiture of pay and allowances, and confinement at hard labor for 20 years.
Benjamin Stanley, Company G, Forty-eighth Volunteer Infantry.	Rape, April, 1900. (58th A. of W.).....	.....	.....	Death.....	Sentence to be hanged by the neck until dead was commuted by President to dishonorable discharge, forfeiture of pay and al-

Character of crime, company & volunteer	Date of crime and causing all innocence, breaking beer bottle on stairs and assaulting native, December 1899. (62d A. of W.)	Yes	No	Yes	No	Death	Reduced to 1 year.....
Walter Wilson, Company F, Forty-eighth Volunteer Infantry.	Murder of a native woman, August, 1900.						
Charles Hume, Company G, Thirteenth Infantry.	Rape, May, 1901. (54th A. of W.)	Yes	Yes	Yes	Yes	30 years	Commuted by the President to dishonorable discharge, forfeiture of pay and allowances, and confinement at hard labor for 30 years.
Ernest A. O'Neill, Company G, Thirteenth Infantry.	Rape, May, 1901. (54th A. of W.)	Yes	Yes	Yes	Yes	30 years	Confinement at hard labor reduced to 5 years.
John W. Terrell, Company H, Forty-ninth Volunteer Infantry.	Beating natives with the butt of his revolver, etc., July, 1900. (62d A. of W.)	No	No			6 months	Confinement at hard labor reduced to 5 years.
Noah Reynolds, Company H, Forty-ninth Volunteer Infantry.	Assisting in assaulting natives, etc., July, 1900. (62d A. of W.)	No	No			6 months	
Grant Shockness, Company M, Twenty-second Infantry.	Burning native houses, May, 1900. (54th A. of W.)	Yes	Yes	Yes	Yes	10 years	
John Hamilton, Company M, Twenty-second Infantry.	Burning native houses, May, 1900. (54th A. of W.)	Yes	Yes	Yes	Yes	10 years	
George M. Mathes, Company H, Forty-ninth Volunteer Infantry.	Throwing fish in the face of a native woman, etc., March, 1900. (62d A. of W.)	No	No			4 months	
William H. Strickland, Company E, Twenty-ninth Volunteer Infantry.	Larceny of 2 gold rings, value \$250, May, 1900. (62d A. of W.)	Yes	Yes	Yes	Yes	1 year	
Clarence A. Carter, Company B, Thirty-ninth Volunteer Infantry.	Larceny of 1 shirt, value \$6, March, 1900. (62d A. of W.)	Yes	Yes	Yes	Yes	3 months	
George Bradshaw, Company M, Forty-fifth Volunteer Infantry.	Larceny of watch, value not known, May, 1900. (62d A. of W.)	Yes	Yes	Yes	Yes	1 year	
J. A. Callahan, Company E, Forty-fifth Volunteer Infantry.	Larceny of 2 bottles of beer and \$10.30 Mexican, February, 1900. (62d A. of W.)	Yes	Yes	Yes	Yes	18 months	
Orrin E. Carl, Troop D, First Cavalry.	Aiding and abetting in larceny of beer and wine from native store, December, 1900. (62d A. of W.)	No	No			1 year, reduced to 10 months	
Fred R. Collins, Troop D, First Cavalry.	Aiding and abetting in larceny of beer and wine from native store, December, 1900. (62d A. of W.)	No	No			1 year, reduced to 10 months	
Thorvald H. Widerstorm, Troop D, First Cavalry.	Aiding and abetting in larceny of beer and wine from native store, December, 1900. (62d A. of W.)	No	No			6 months	

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances	Confinement.	
Edward Whitely, Company I, Forty-seventh Volunteer Infantry.	Robbing native of \$25 Mexican, November, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
William Shanahan, Company L, Fourth Infantry.	Ordering drinks from native woman and refusing to pay for them when refused credit and using insulting and obscene language to her, Nov., 1900. (62d A. of W.)	Yes.....	Yes.....	6 months.....	
William Whitehead, Company L, Twenty-fifth Infantry.	Assault with intent to kill and murder a native with a knife, February, 1901. (58th A. of W.)	Yes.....	Yes.....	5 years.....	
William P. McCarthy, Company D, Seventh Infantry.	Forcibly and with violence entering native house, May, 1901. (62d A. of W.)	No.....	\$30.....	3 months.....	
Don Wallace, Company M, Twenty-fourth Infantry.	Attempt without cause to shoot 2 native prisoners not under his charge, June, 1901. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Joseph S. Carter, Troop K, Third Cavalry.	Drunk and disorderly in native house, May, 1901. (62d A. of W.)	No.....	\$20.....	No.....	Confinement reduced to 7 years.
James A. Darling, Company A, Twenty-fourth Infantry.	Felonious assault upon a native woman with intent to commit rape, July, 1901. (58th A. of W.)	Yes.....	Yes.....	12 years.....	
Henry H. Dillon, jr., Company L, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes.....	Yes.....	5 years.....	
James F. Fisher, Company G, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes.....	Yes.....	5 years.....	
Henry L. Hollister, Company G, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes.....	Yes.....	5 years.....	
James W. Potts, Company B, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes.....	Yes.....	5 years.....	
Clinton J. Ross, Company B, Twenty-seventh Volunteer Infantry.	Assisting in robbing a native of \$10, July, 1900. (58th A. of W.)	No.....	.....	9 months.....	Forfeiture of pay during that period.
Charles Hawley, Company B, Twenty-first Infantry.	Obtaining by deceit receipted bills from Filipino woman, and larceny of receipted bill involving cent in April	Yes.....	Yes.....	4 years.....	

	No.		\$ W.	14 days on bread and water.	Perficture of pay during that period.
John W. Sargent, Company C, Sixteenth Infantry	No.	Assault and battery by striking native woman with revolver, etc. (62d A. of W.)		12 months	Two years remitted.
Charles H. Stone, Company H, Seventeenth Volunteer Infantry	Yes	Assisting in robbing a native of \$10, July, 1900. (56th A. of W.)	Yes	8 years	Two years remitted.
Lawrence W. Munsey, Company I, Forty eighth Volunteer Infantry.	Yes	Larceny of \$9 to Mexican from a native, July, 1900. (62th A. of W.)	Yes	2 years	One year remitted.
Leo Summers, Company A, Sixteenth Infantry	Yes	Forcibly entering a native's house and terrorizing women and getting possession of liquor under false pretenses, August, 1900. (62d A. of W.)	Yes	5 years	The prisoner having given assistance in the apprehension of others who committed the crime and evidence against them in their trial, and the members of the court having united in a recommendation of clemency, four years and nine months of the sentence of confinement at hard labor are remitted.
Joe. B. Wells, Company D, Forty-first Volunteer Infantry.	Yes	In company with others, robbing natives of money and jewelry valued at \$500, August, 1900. (56th A. of W.)	Yes	5 years	
Sylvanus H. Cobb, Company D, Forty first Volunteer Infantry.	Yes	In company with others, robbing natives of money and jewelry, valued at \$500, August, 1900. (56th A. of W.)	Yes	8 months	The prisoner having given assistance in the apprehension of others who committed the crime, and evidence against them in their trial, and the members of the court having united in a recommendation of clemency, 4 years and 9 months of the sentence of confinement at hard labor are remitted.
Frank Stephens, Company K, Forty-fifth Volunteer Infantry.	Yes	Giving a private a \$20 Confederate note and conspiring to exchange it for money and receiving money on same, July, 1900. (62d A. of W.)	Yes	6 months	
Felix Meller, Troop A, Ninth Cavalry.	Yes	Taking horse and saddle from native policeman, threatening life of lieutenant of police, and taking from him a rifle and revolver, November, 1900. (62d A. of W.)	Yes	6 months, reduced to 4	
John Jahnke, Troop D, First Cavalry.	No	Making insulting propositions to native women and trying to intimidate her, December, 1900. (62d A. of W.)	\$50, reduced to \$40		

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Jed Grigsby, Troop E, Ninth Cavalry.	Taking 5 chickens from native by force and giving for them \$1 Mexican without his consent, Jan. 10, 1901. (62d A. of W.)	Yes.....	Yes.....	2 years, reduced to 4 months.	.
Roscoe F. Goodfrey, Company E, Twelfth Infantry.	Did assault a native woman 70 years old, July, 1901. (58th A. of W.)	No.....	\$10.....	1 month.....	
William Clay, Company A, Twenty-fourth Infantry.	Assault and battery upon native woman, June, 1901. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
George Patton, Company L, Forty-eighth Volunteer Infantry.	Larceny of bottle of whisky, valued \$1.50, from native woman, March, 1901. (62d A. of W.)	No.....	\$40.....	4 months.....	
William J. Valentine, Troop K, Third Cavalry.	Robbery, by entering house of native and intimidating her with pistol and taking jewelry, value \$20.50, February, 1901. (58th A. of W.)	Yes.....	Yes.....	3 years.....	
Warren B. Border, Company K, Fifteenth Infantry.	Larceny from native woman of money, value \$4 Mexican, February, 1901. (62d A. of W.)	No.....	\$60.....	6 months.....	
Thomas F. Leach, Company F, Twelfth Infantry.	Assaulting a native by striking him with his fist, and threatening a native with a butcher knife, and other offenses, Mar. 29, 1901. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Charles J. Chipman, Troop M, Fourth Cavalry.	Striking, without provocation, a native on the head with a revolver, and other offenses, Jan. 29, 1901. (62d A. of W.)	Yes.....	Yes.....	2 years.....	
Charles M. Sims, Company C, Twenty-fifth Infantry.	Assaulting a native policeman by using threatening language toward him and loading his rifle and threatening to shoot him, and other offenses, April 14, 1901. (62d A. of W.)	Yes.....	Yes.....	6 months.....	Mitigated to 6 months' confinement and forfeiture of \$72.
Henry Bruce, Company A, Twenty-fifth Infantry.	Assaults upon two natives, one a young girl, August, 1901. (62d A. of W.)	No.....	\$20.....	2 months.....	
Rocco Ferguson, Company A, Sixteenth Infantry.	Did without authority detain a party of mounted natives and demand a pass from them and attempt to assault one of them, June, 1901. (62d A. of W.)	No.....	\$30.....	3 months.....	
Lealie Kling, Company D, Twenty-fifth Infantry.	Assault upon a native with threats to kill him, August, 1901. (62d A. of W.)	No.....	\$60.....	8 months.....	
George H. Greeley, Company C, Twentieth Infantry.	Did attempt to persuade and force a Filipino boy to participate in a crime against native, September, 1901. (62d	Yes.....	Yes.....	1½ years.....	

<div> Name, Position, and Unit </div>	<div> Description of Offense </div>	<div> Yes </div>	<div> No </div>	<div> Yes </div>	<div> No </div>	<div> Sentence </div>	<div> Remarks </div>
Charles C. McKee, Company I, Sixth Infantry	Assault and battery by striking police man with rod, March, 1900. (62d A. of W.)	Yes	Yes	18 months	Mitigated to 8 months' confinement and forfeiture of pay.		
Fred Bucha, Company F, Eighteenth Infantry.	Assault and battery by striking native woman and girl with fist, December 1899. (62d A. of W.)	Yes	No	2 years	2 years reduced to 1 year.		
Fred Hardy, Company B, Sixth Infantry.	Larceny of jewelry, value about \$300, Manila, December, 1900. (64th A. of W.)	Yes	Yes	1 year			
Frank Brown, Hospital Corps, U. S. A.	Threatening to assault natives and compelling them to pay him 50 cents Mexican to leave their home, August, 1901. (62d A. of W.)	Yes	Yes	Life	A crime of peculiar atrocity that might be viewed with horror by the most debased savage.		
Edward M. Beutle, Troop C, Third Cavalry.	Murder of native boy by shooting him with a pistol, November, 1900. (58th A. of W.)	Yes	Yes	Life	A crime of peculiar atrocity that might be viewed with horror by the most debased savage.		
James F. Caffey, Troop C, Third Cavalry.	Murder of native boy by shooting him with a pistol, Nov., 1900. (58th A. of W.)	Yes	Yes	20 years	Due to lax condition of discipline among the scouts; sentence inadequate.		
John Allen, Company I, Thirty-second Volunteer Infantry.	Striking and kicking native prisoner, Oct., 1900. (62d A. of W.)	No	No	No	Sentence inadequate.		
John J. Burke, Company I, Forty-third Volunteer Infantry.	Assault and battery upon three natives and firing revolver into house of native woman, etc., June, 1900. (62d A. of W.)	No	No	No	The sentence is deemed inadequate.		
Thomas Martin, Company B, Twenty-seventh Infantry.	Offering violence to native, etc., July, 1900. (62d A. of W.)	No	No	1 month			
Frank J. Smith, Company K, Thirty-fifth Volunteer Infantry.	Maltreating a native, July, 1900. (62d A. of W.)	No	No	1 month	Confinement remitted.		
Oby Mattox, Company K, Thirty-fifth Volunteer Infantry.	Maltreating a native, July, 1900. (62d A. of W.)	No	No	6 months			
Thomas F. Leach, Company F, Twelfth Infantry.	Making an improper advance to a native woman, etc., July, 1900. (62d A. of W.)	Yes	Yes	6 months			
Bert E. Ringham, Company A, Thirty-second Infantry.	Striking a native in the face, etc., Aug., 1900. (62d A. of W.)	Yes	Yes	8 years	Confinement mitigated to 2 years.		
Charles Jones, Company G, Eighteenth Infantry.	Passing facsimile of Confederate note for \$40, August, 1900. (62d A. of W.)	Yes	Yes	1 year			
James P. Lawton, Battery G, Sixth Artillery.	Highway robbery, assault, and battery upon natives, September, 1900. (58th A. of W.)	Yes	Yes	1 year			

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Frank Kirkpatrick, Battery G, Sixth Artillery.	Highway robbery, assault, and battery upon natives, September, 1900. (58th A. of W.)	Yes	Yes	1 year	
Albert D. Castleberry, Company I, Forty-fourth Volunteer Infantry.	Larceny of \$48 from a native woman, June, 1900. (62d A. of W.)	Yes	Yes	1 year	
James G. Needles, Hospital Corps.	Larceny of meerschaum pipe holder, value 10 pesos, December, 1900. (62d A. of W.)	No	\$72	6 months	
William Kirby, Company D, Nineteenth Infantry.	Robbery, assault, and making illegal demand for money, February, 1901. (58th A. of W.)	No	\$40	4 months	
James P. Quigley, Company K, Forty-third Volunteer Infantry.	Larceny of 20 pesos from a native, July, 1900. (62d A. of W.)	Yes	Yes		
Albert Whitehead, Company I, Forty-fourth Volunteer Infantry.	Larceny of \$48, Mexican, June, 1900. (62d A. of W.)	Yes	Yes	1 year	
Charles Bertschey, Hospital Corps, U. S. A.	Assaulting a native boy, knocking him down and kicking him, etc., June, 1900. (62d A. of W.)	No	\$30	3 months	
John J. Convery, Company F, Eighteenth Infantry.	Larceny of \$10 from a native, etc., June, 1900. (62d A. of W.)	Yes	Yes	2 years	
Christian N. Anderson, Company G, Eighteenth Infantry.	Using foul language toward and threatening native, etc., September, 1900. (62d A. of W.)	No	\$120	1 year	
William A. Cambell, Hospital Corps, U. S. A.	Entering native house and creating disturbance causing inhabitants to leave, etc., May, 1900. (62d A. of W.)	No	\$60	6 months	
Walter S. Thorp, Company A, Twenty-third Infantry.	Larceny of beer, etc., from store of native, value \$5.50, Mexican currency, April, 1900. (58th A. of W.)	Yes	Yes	3 months	Mitigated to 3 months and forfeiture of \$36.
George King, Company C, Twenty-sixth Volunteer Infantry.	Larceny of diamond ring valued at \$50, and \$30 Mexican, the property of a native, February, 1900. (62d A. of W.)	Yes	Yes	1 year	
Elmer E. Kellenberger, Company E, Eighteenth Infantry.	In company with others stealing from native articles valued at \$4, Mexican, etc., August, 1900. (62d A. of W.)	Yes	Yes	2 years	
Edward Madison, Company G, Forty-fourth Volunteer Infantry.	Assault upon native men and women for refusing him tabs and money, October, 1900. (62d A. of W.)	Yes	Yes	8 months	
Henry Harding, Company B, Thirty-eighth Volunteer Infantry.	Firing two revolver shots and one carbine at natives, maliciously and without	No	\$00	2 months	

Infantry	(62d A. of W.)					
William Tomlinson, Company L, Forty-fourth Volunteer Infantry.	Larceny of \$20 Mexican, from a native, Mar., 1900. (62d A. of W.)	Yes	Yes	1 year		
Ralph R. Avery, Company E, Eighteenth Infantry.	In company with others stealing from native articles valued at \$1 Mexican, etc., Aug., 1900. (62d A. of W.)	Yes	Yes	18 months		
Dennis McCarthy, Company L, Twenty-sixth U. S. Volunteer Infantry.	Robbery of natives by entering house, intimidating, and carrying away \$11 and 3 gold earrings, etc., Apr., 1900. (62d A. of W.)	Yes	Yes	5 years		Mitigated to 6 months' confinement.
William E. Warner, Company H, Sixth Infantry.	Terrorizing, and destroying property of natives that he was assigned to guard and protect, Apr., 1900. (62d A. of W.)	Yes	Yes	1 year		Mitigated to 4 months' confinement and forfeiture of \$48.
Adolph Russell, Company B, Nineteenth Infantry.	Larceny of money and property, value 61 pesos, Jan., 1900. (62d A. of W.)	Yes	Yes	1 year		
Mar. Clark, Company B, Nineteenth Infantry.	Larceny of money and property valued at 61 pesos, Jan., 1900. (62d A. of W.)	Yes	Yes	2 years		
Thomas Kiernan, Company E, Eighteenth Infantry.	In company with others, stealing from a native articles, value \$1 Mexican, etc., Aug., 1900. (62d A. of W.)	Yes	Yes	1 year		
David H. Plerson, Troop E, Fourth Cavalry.	Forcibly taking a carromato from a native, etc., Mar., 1900. (62d A. of W.)	No.	\$40.	4 months		
William H. Morse, Troop C, Fourth Cavalry.	Larceny of 2 handkerchiefs and 1 pair of socks from a native house, value not stated, Sept., 1900. (62d A. of W.)	Yes	Yes	1 year		Confinement remitted to 6 months.
Joseph H. Davis, Company K, Forty-seventh Volunteer Infantry.	Larceny of \$10 worth of property from a native, and destroying property of a native valued at \$19, Mex., Apr., 1900. (62d A. of W.)	Yes	Yes	1 year		
Otho Way, Troop K, First Cavalry.	Making disturbance in native house and stealing property valued at \$2.25, Oct., 1901. (62d A. of W.)	Yes	Yes	6 months		
Charles O'Keefe, Fifteenth Battery, Field Artillery.	Assault upon and larceny of cigarettes, value 50 cents, from a native, Sept., 1901. (62d A. of W.)	No.	\$60.	6 months		
Michael Walker, Company C, Ninth Cavalry.	Falling to secure entrance, did fire a pistol shot through door of native cabin, Aug., 1901. (62d A. of W.)	Yes	Yes	8 months		
Alvin J. Grosz, Company L, Nineteenth Infantry.	Larceny of chalice and two smaller vessels from native church, value \$15, Feb., 1900. (62d A. of W.)	Yes	Yes	3 years		
Jay Dostader, Company M, Eighteenth Infantry.	Larceny of 1 ring and earring, value \$14.40 Mexican, June, 1900. (62d A. of W.)					

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
George Balger, Company L, Twenty-sixth U. S. V. Infantry.	Assault and battery by striking native with fist, August, 1900. (58th A. of W.)	No.....	\$00.....	6 months.....	
David L. Logan, Company K, Fourth Infantry.	Assault and battery by striking native with fist, August, 1900. (62d A. of W.)	No.....	\$00.....	6 months.....	
Joseph G. Finner, Troop C, Fourth Cavalry.	Larceny of 4 pesos, September, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Frank Snyder, Troop C, Fourth Cavalry.	Larceny of 4 pesos, September, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Denton L. Sims, Company H, Thirty-eighth U. S. V. Infantry.	Arson, burning native house, August, 1900. (58th A. of W.)	Yes.....	Yes.....	10 months.....	
Henry Bour, Troop C, Fourth Cavalry.	Larceny of 4 pesos, September 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Robert F. Griffin, Company C, Thirty-eighth U. S. V. Infantry.	Arson, burning native house, August, 1900. (58th A. of W.)	Yes.....	Yes.....	10 months.....	
Chalmers Buckner, Company H, Thirty-eighth U. S. V. Infantry.	Larceny of 4 pesos, September, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Port J. Rowan, Company I, Forty-fourth U. S. V. Infantry.	Robbery of 8 natives of \$26 Mexican, April, 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	Confinement mitigated to 6 months.
John Cote, Company L, Twenty-sixth U. S. V. Infantry.	Robbery of \$9 Mexican, and other property of native, etc., Apr., 1900. (58th A. of W.)	Yes.....	Yes.....	2 years.....	
George W. Chittenden, Company M, Sixth Infantry.	Murder, by shooting native with rifle, Mar., 1900. (58th A. of W.)	Yes.....	Yes.....	Life.....	Reduced to 20 years.
Michael C. Smelser, Company M, Thirtieth Infantry.	Assaulting a native woman with intent to commit rape, Sept., 1900. (58th A. of W.)	Yes.....	Yes.....	15 years.....	Confinement mitigated to 10 years.
Joseph W. Zorn, Troop B, Eleventh Cavalry.	Larceny of 186.30 pesos from a native, etc., Aug., 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	
Jeremiah Hogue, Company F, Forty-seventh Infantry, U. S. V.	Striking a native, etc., May, 1900. (62d A. of W.)	Yes.....	Yes.....	10 years.....	Confinement mitigated to 2 years.
Thomas C. Townsend, Company M, Forty-fifth Volunteer Infantry.	Stealing and destroying native's property, etc., Oct., 1900. (62d A. of W.)	Yes.....	Yes.....	18 months.....	
Harry P. Allen, Company E, Signal Corps, U. S. A.	Robbing natives of chickens at the point of his pistol, etc., Sept., 1900. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Confinement reduced to 1 year.

NAME OF COMPANY OR INDIVIDUAL.	DESCRIPTION OF CASE.	VERDICT.	AMOUNT OF FINES.	PERIOD OF IMPRISONMENT.	REMARKS.
First and Second Artillery.	Robbing a native house and forcing him to drink and wounding native sergeant of police March, 1901. (62d A. of W.)	No.	\$100.	6 months.	
Patric A. J. Walsh Company 1, Fifteenth Infantry.	Forcibly entering native house and forcing natives to go up the road and trying to separate native girl from her brother, January, 1901. (62d A. of W.)	Yes.	Yes.	18 months.	Reduced to 1 year.
Walter Cox, Company I, Fifteenth Infantry.	Ransacking native house and forcing inmates to go up the road and assaulting widow and her son by striking them, January, 1901. (62d A. of W.)	Yes.	Yes.	15 months.	Reduced to 1 year.
William McGrath Company D, Fifteenth Infantry.	Threatening to shoot native if he did not get him some vino, February, 1901. (62d A. of W.)	Yes.	Yes.	1 year.	Reduced to 6 months.
William J. Murr, Company H, Forty-seventh Volunteer Infantry.	Disorderly conduct in native house and attempting to assault 2 inmates, and assaulting native and his daughter, February, 1901. (62d A. of W.)	Yes.	Yes.	1 year.	
William Harvey, Retainer.	Raping native woman aged 60, throwing her to the floor, and bruising her, February, 1901. (62d A. of W.)	Yes.	Yes.	10 years.	
Alexander Stewart, Com- pany G, Ninth Cavalry.	Robbing native of \$5, Mexican, Novem- ber, 1900. (62d A. of W.)	Yes.	Yes.	1 year.	Reduced to 6 months.
Albert Perkins, Company G, Ninth Cavalry.	Robbing native of \$5, Mexican, Novem- ber, 1900. (62d A. of W.)	Yes.	Yes.	1 year.	Reduced to 6 months.
Howard P. Smith, Company K, Fourth Infantry.	Assaulting native policeman, April, 1901. (62d A. of W.)	Yes.	Yes.	2 years.	Mitigated to 6 months' con- finement.
Frank Shobe, Company K, Fourth Infantry.	Assaulting native policeman, April, 1901. (62d A. of W.)	Yes.	Yes.	2 years.	Mitigated to 6 months' con- finement.
James Young, Troop B, Ninth Cavalry.	Assault and battery, with intent to com- mit rape on native woman, May, 1901. (62d A. of W.)	Yes.	Yes.	5 years.	
Joseph Gibson, Troop C, First Cavalry.	Larceny of \$7.50 from native gambling house, June, 1901. (62d A. of W.), etc.	Yes.	Yes.	1 year; reduced to 6 months.	
Polycarpe Nadeau, Com- pany H, Twenty-first In- fantry.	Larceny of \$250 Mexican, by entering native house and breaking open box, July, 1901. (62d A. of W.)	No.	\$63.	6 months.	
Frederick A. Washington, Company B, Twenty- fourth Infantry.	Entering a native's house and assaulting a native woman, March, 1902. (62d A. of W.)	No.	\$20.	2 months.	
Dennis Minor, Company H, Twenty-fourth Infantry.	Seizing a native policeman by the throat and applying profane and abusive epi- thets to him, October, 1901. (62d A. of W.)	No.	\$40.	4 months.	
Anton Bethoff, Company L, Fifth Infantry.	Assault and battery upon the municipal president of Lopez, Luzon, P. I., a native, September, 1901. (62d A. of W.)	No.	\$30.	3 months.	

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Eddie McFadden, Company G, Twenty-fifth Infantry.	Entering house of native and feloniously assaulting wife of said native by choking her and by striking her in the face with his fist, "causing her great pain," (and larceny, not from native), August, 1901. (62d A. of W.)	Yes	Yes	2 years	
Eugene Supper, Company A, Twenty-sixth Infantry.	Breaking into native house in nighttime, May 9, 1901 (62d A. of W.).	No	\$80	6 months, reduced to 2 months.	
Thomas H. Mc'lanahan, Company L, Eighth Infantry.	Assaulting and raping middle-aged native woman, April, 1901 (58th A. of W.).	Yes	Yes	15 years.	
Arthur Smith, Company L, Eighth Infantry.	Assaulting and raping middle-aged native woman, April, 1901 (58th A. of W.).	Yes	Yes	15 years.	
Clarence Jackson, Company L, Eighth Infantry.	Attempt to commit rape on middle-aged native woman, April, 1901 (62d A. of W.).	Yes	Yes	7 years.	
Isaac Oppenheimer, Company L, Eighth Infantry.	Raping middle-aged native woman, April, 1901, etc. (58th A. of W.).	Yes	Yes	20 years, reduced to 17 years.	
Harry A. Mooney, Company L, Eighth Infantry.	Raping middle-aged native woman, April, 1901 (58th A. of W.).	Yes	Yes	20 years, reduced to 17 years.	

GENERAL ORDERS, }
No. 12.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, February 6, 1902.

Before a general court-martial, which convened at Manila, Philippine Islands, pursuant to Special Orders, No. 173, Department of Southern Luzon, June 22, 1901, and of which Lieut. Col. Louis H. Rucker, Sixth Cavalry, was president, and Capt. Palmer E. Pierce, Thirteenth Infantry, was judge-advocate, was arraigned and tried—

First Lieut. Preston Brown, Second U. S. Infantry.

CHARGE.—“Murder, in violation of the Fifty-eighth Article of War.”

SPECIFICATION.—“In that First Lieut. Preston Brown, Second Infantry, did willfully, feloniously, and with malice aforethought, murder and kill by shooting with a pistol an unarmed, unresisting native Filipino, name unknown, a prisoner of war in his charge, and as a result of said shooting, the native did then and there die. This at a time of insurrection in the Philippine Islands, under the military government of the United States, at or near Binangonan, Infanta Province, Luzon, P. I., on or about December 22, 1900.”

To which charge and specification the accused, First Lieut. Preston Brown, Second U. S. Infantry, pleaded as follows:

To the specification, “Not guilty.”

To the charge, “Not guilty.”

FINDING.

Of the specification, “Guilty, except the words ‘feloniously and with malice aforethought murder and,’ and of the excepted words not guilty.”

Of the charge, “Guilty, except the word ‘murder,’ substituting therefor the word ‘manslaughter;’ of the excepted word not guilty and of the substituted word guilty.”

SENTENCE.

And the court does therefore sentence him, First Lieut. Preston Brown, Second U. S. Infantry, “To be dismissed from the service of the United States and then to be confined at hard labor in such United States penitentiary as the reviewing authority may direct for the period of five years.”

The record of the proceedings of the general court-martial in the foregoing case of First Lieut. Preston Brown, Second U. S. Infantry, having been submitted to the President, the following are his orders thereon:

WHITE HOUSE, January 27, 1902.

So much of the sentence in this case as imposes imprisonment is disapproved, and so much of the sentence as imposes dismissal is confirmed and commuted to a reduction of 30 files in lineal rank on the list of first lieutenants of infantry and a forfeiture of one-half of the officer's monthly pay for a period of nine months.

THEODORE ROOSEVELT.

By direction of the Secretary of War, First Lieut. Preston Brown, Second U. S. Infantry, will be released from arrest and restored to duty.

By command of Lieutenant-General Miles:

H. C. CORBIN,
Adjutant-General, Major-General U. S. A.

GENERAL ORDERS, }
No. 105.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, August 7, 1901.

Before a general court-martial which convened at Cebu, Cebu, Philippine Islands, pursuant to Special Orders, No. 2, Department of the Visayas, April 20, 1900, and of which Maj. John G. Laefe, Nineteenth Infantry, was president, and Capt. Edward A. Stuart, adjutant, Forty-fourth Infantry, U. S. Volunteers, was judge-advocate, was arraigned and tried—

Private Phineas Foutz, Company K, Nineteenth U. S. Infantry.

CHARGE.—“Murder, in violation of the Fifty-eighth Article of War.”

SPECIFICATION.—“In that private Phineas Foutz, Company K, Nineteenth Infantry, did enter the house of one Florentina Cenza, a native, and did then and there will-

fully, feloniously, and with malice aforethought kill and murder Geneviva Torres, a native girl, by stabbing the said Geneviva Torres with a sword cane held in the hands of the said Phineas Foutz, private, Company K, Nineteenth Infantry, inflicting wounds whereof the said Geneviva Torres then and there died. This in the house of the aforesaid Florentina Cenza, at Mandaue, province of Cebu, Philippine Islands, about 5.30 p. m., November 15, 1900, then as now, a time of insurrection against the United States."

PLEA.

To the specification: "Not guilty."
To the charge: "Not guilty."

FINDING.

Of the specification: "Guilty."
Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Private Phineas Foutz, Company K, Nineteenth Infantry, "To be hanged by the neck until he is dead, at such time and place as the proper authority may direct, two-thirds of the members of the court concurring therein."

The sentence in the foregoing case of Private Phineas Foutz, Company K, Nineteenth Infantry, having been approved by the proper reviewing authority and the record of the proceedings forwarded to the President, the following are his orders thereon:

EXECUTIVE MANSION, *July 30, 1901.*

In the foregoing case of Private Phineas Foutz, Company K, Nineteenth Infantry, the sentence is confirmed and will be duly carried into execution at such time and place as may be designated by the commanding general, Department of the Visayas, Philippine Islands.

WILLIAM McKINLEY.

By command of Lieutenant-General Miles:

THOMAS WARD,
Acting Adjutant-General.

GENERAL ORDERS, }
No. 37. }

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 27, 1900.

Before a general court-martial which convened at Panique, P. I., pursuant to Field Orders, No. 274, Headquarters Second Division, Eighth Army Corps, Bautista, P. I., December 9, 1899, and of which Capt. M. F. Waltz, Twelfth United States Infantry, was president, and Second Lieut. T. E. Merrill, First United States Artillery, was judge-advocate, was arraigned and tried—

Robert Porter, civilian employee, Quartermaster's Department, United States Army.

CHARGE I.—"Violation of the sixty-second article of war."

Specification 1.—"In that Robert Porter, civilian employee, Quartermaster's Department, United States Army, did assault and strike with a revolver one Diego Augustin, an inhabitant of Panique, P. I. This in time of insurrection at or near Panique, P. I., on or about December 10, 1899."

Specification 2.—"In that Robert Porter, civilian employee, Quartermaster's Department, United States Army, did trespass on the property of Dorolio Bauniago, an inhabitant of Panique, P. I., by entering the house of said Bauniago without authority, thereby alarming two native women. This in time of insurrection at or near Panique, P. I., on or about December 10, 1899."

CHARGE II.—"Rape, in violation of the fifty-eighth article of war."

Specification.—"In that Robert Porter, civilian employee, Quartermaster's Department, U. S. Army, did feloniously assault and commit rape on the person of Maria Manliemot. This at Panique, P. I., on or about December 10, 1899."

ADDITIONAL CHARGE.—"Violation of the sixty-second article of war."

Specification.—"In that Robert Porter, a civilian employee of the Quartermaster's Department, U. S. Army, while a prisoner and under charge of a sentry of the provost guard, did escape from the charge of said sentry. This at Panique, P. I., on or about December 15, 1899."

PLEA.

Charge I.

To the first specification: "Guilty, excepting the word 'revolver' and substituting therefor the word 'stone;' to the excepted word, not guilty."

To the second specification: "Not guilty."

To the charge: "Guilty."

Charge II.

To the specification: "Not guilty."

To the charge: "Not guilty."

Additional charge.

To the specification: "Guilty."

To the charge: "Guilty."

FINDING.

Charge I.

Of the first specification: "Guilty."

Of the second specification: "Guilty."

Of the charge: "Guilty."

Charge II.

Of the specification: "Guilty."

Of the charge: "Guilty."

Additional charge.

Of the specification: "Guilty."

Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Robert Porter, civilian employee, Quartermaster's Department, United States Army, "To be punished with death by hanging at such time and place as the reviewing authority may direct, two-thirds of the members present concurring."

The record of the proceedings of the general court-martial in the foregoing case of Robert Porter, civilian employee, Quartermaster's Department, United States Army, having been forwarded for the action of the President, the following are his orders thereon:

EXECUTIVE MANSION, *March 24, 1900.*

The sentence in the foregoing case of Robert Porter, civilian employee of the Quartermaster's Department, United States Army, is confirmed and is commuted to confinement at hard labor in a penitentiary for the period of twenty years.

WILLIAM McKINLEY.

In direction of the Secretary of War, the confinement in a penitentiary will be executed at the United States penitentiary, Fort Leavenworth, Kans., where the prisoner will be sent under proper guard at the first favorable opportunity by the commanding general, Department of the Pacific and Eighth Army Corps.

By command of Major-General Miles:

H. C. CORBIN, *Adjutant-General.*

GENERAL ORDERS.)

No. 238.

HEADQUARTERS OF THE ARMY.

ADJUTANT GENERAL'S OFFICE.

Washington, December 16, 1899.

1—Before a general court-martial which convened at Balinag, Philippine Islands, pursuant to Field Orders, No. 97, Headquarters Second Division, Eighth Army Corps, San Fernando, P. I., June 7, 1899, and of which Capt. William C. Buttler,

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances	Confinement.	
Edward Whitely, Company I, Forty-seventh Volunteer Infantry, William Shanahan, Company L, Fourth Infantry.	Robbing native of \$25 Mexican, November, 1900. (62d A. of W.) Ordering drinks from native woman and refusing to pay for them when refused credit and using insulting and obscene language to her, Nov., 1900. (62d A. of W.)	Yes Yes	Yes Yes	1 year 6 months	
William Whitehead, Company L, Twenty-fifth Infantry.	Assault with intent to kill and murder a native with a knife, February, 1901. (58th A. of W.)	Yes	Yes	5 years	
William P. McCarthy, Company D, Seventh Infantry.	Forcibly and with violence entering native house, May, 1901. (62d A. of W.)	No	\$30	3 months	
Den Wallace, Company M, Twenty-fourth Infantry.	Attempt without cause to shoot 2 native prisoners not under his charge, June, 1901. (62d A. of W.)	Yes	Yes	1 year	
Joseph S. Carter, Troop K, Third Cavalry.	Drunk and disorderly in native house, May, 1901. (62d A. of W.)	No	\$20	No	Confinement reduced to 7 years.
James A. Darling, Company A, Twenty-fourth Infantry.	Felonious assault upon a native woman with intent to commit rape, July, 1901. (58th A. of W.)	Yes	Yes	12 years	
Henry H. Dillon, jr., Company L, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes	Yes	5 years	
James F. Fisher, Company G, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes	Yes	5 years	
Henry L. Hollister, Company G, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes	Yes	5 years	
James W. Potts, Company B, Forty-first Volunteer Infantry.	In company with others, robbing natives of money and jewelry valued at \$300, August, 1900. (58th A. of W.)	Yes	Yes	5 years	
Clinton J. Ross, Company B, Twenty-seventh Volunteer Infantry.	Assisting in robbing a native of \$10, July, 1900. (58th A. of W.)	No		9 months	Forfeiture of pay during that period.
Charles Hawley, Company B, Twenty-first Infantry.	Obtaining by deceit receipted bills from Filipino woman, and larceny of receipted bill, involving \$201.50, April and May, 1900. (62d A. of W.)	Yes	Yes	4 years	
Patrick J. Murphy, Company A, Third Infantry.	Forcibly entering house and seizing and frightening native woman, August, 1900. (58th A. of W.)	Yes	Yes	3 years	

NAME (GIVEN A. OF W.)	Yes	Yes	3 years	2 years	5 years	Two years remitted.	One year remitted.	The prisoner having given assistance in the apprehension of others who committed the crime and evidence against them in their trial, and the members of the court having united in a recommendation of clemency, four years and nine months of the sentence of confinement at hard labor are remitted.
Lawrence W. Muncy, Company I, Forty-eighth Volunteer Infantry.	Yes	Yes						
Leo Summers, Company A, Sixteenth Infantry.	Yes	Yes						
Joe B. Wells, Company D, Forty-first Volunteer Infantry.	Yes	Yes						
Sylvanus H. Cobb, Company D, Forty-first Volunteer Infantry.	Yes	Yes						
Frank Stephens, Company K, Forty-fifth Volunteer Infantry.	Yes	Yes						
Felix Medler, Troop A, Ninth Cavalry.	Yes	Yes						
John Jahnke, Troop D, First Cavalry.	No	\$50, reduced to \$40						

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Jeff Grigsby, Troop E, Ninth Cavalry.	Taking 5 chickens from native by force and giving for them \$1 Mexican without his consent, Jan. 10, 1901. (62d A. of W.)	Yes.....	Yes.....	2 years, reduced to 4 months.....	
Reverie F. Goodfey, Company F, Twelfth Infantry.	Did assault a native woman 70 years old, July, 1901. (62d A. of W.)	No.....	\$10.....	1 month.....	
William C. Lay, Company A, Twelfth Infantry.	Assault and battery upon native woman, June, 1901. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
George Patton, Company L, Forty-eighth Volunteer Infantry.	Larceny of bottle of whisky, valued \$1.60, from native woman, March, 1901. (62d A. of W.)	No.....	\$40.....	4 months.....	
William J. Valentine, Troop K, Third Cavalry.	Robbery by entering house of native and intimidating her with pistol and taking jewelry, value \$20.60, February, 1901. (62d A. of W.)	Yes.....	Yes.....	3 years.....	
Warren B. Border, Company K, Fifteenth Infantry.	Larceny from native woman of money, value \$4 Mexican, February, 1901. (62d A. of W.)	No.....	\$40.....	6 months.....	
Thomas P. Leach, Company F, Twelfth Infantry.	Assaulting a native by striking him with his fist and threatening a native with a butcher knife, and other offenses, Mar. 29, 1901. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Charles J. Chipman, Troop M, Fourth Cavalry.	Striking without provocation a native on the head with a revolver, and other offenses, Jan. 29, 1901. (62d A. of W.)	Yes.....	Yes.....	3 years.....	
Charles M. Sims, Company G, Twenty-fifth Infantry.	Assaulting a native policeman by using threatening language toward him and loading his rifle and threatening to shoot him and other offenses, April 14, 1901. (62d A. of W.)	Yes.....	Yes.....	8 months.....	Mitigated to 6 months' confinement and forfeiture of \$72.
Henry Bruce, Company A, Twenty-fifth Infantry.	Assaults upon two natives, one a young girl, August, 1901. (62d A. of W.)	No.....	\$20.....	2 months.....	
Rocco Ferguson, Company A, Sixteenth Infantry.	Did without authority detain a party of mounted natives and demand a ransom from them and attempt to assault one of them, June, 1901. (62d A. of W.)	No.....	\$30.....	3 months.....	
Ladie King, Company D, Twentieth Infantry.	Assault upon a native with threats to kill him, August, 1901. (62d A. of W.)	No.....	\$30.....	3 months.....	
George H. Greeley, Company C, Twentieth Infantry.	Did attempt to persuade and force a Filipino boy to participate in a crime against a native, September, 1901. (62d A. of W.)	Yes.....	Yes.....	1½ years.....	
Duhamel Pyles, Company K, Twenty-third Infantry.	Feeling 2 gilded quarter-dollar coins on a native woman for \$10 and sold them, March, 1900. (62d A. of W.)	Yes.....	Yes.....	4 years.....	

<p> Fred Barba, Company F, Eighteenth Infantry. </p>	<p> Assault and battery by striking native woman and girl with fist, December 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> \$200..... </p>	<p> 2 years..... </p>	<p> Mitigated to 8 months' confinement and forfeiture of \$50. </p>
<p> Fred Harly, Company B, Sixth Infantry. </p>	<p> Larceny of jewelry, value about \$300. Mexican, December, 1900. (54th A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> 2 years reduced to 1 year. </p>	
<p> Frank Brown, Hospital Corps, U. S. A. </p>	<p> Threatening to assault natives and compelling them to pay him 50 cents Mexican to leave their home, August, 1901. (62d A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> 1 year..... </p>	
<p> Edward M. Bouille, Troop C, Third Cavalry. </p>	<p> Murder of native boy by shooting him with a pistol, November, 1900. (54th A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> Life..... </p>	<p> A crime of peculiar atrocity that might be viewed with horror by the most debased savage. </p>
<p> James F. Caffey, Troop C, Third Cavalry. </p>	<p> Murder of native boy by shooting him with a pistol, Nov., 1900. (54th A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> Life..... </p>	<p> A crime of peculiar atrocity that might be viewed with horror by the most debased savage. </p>
<p> John Allen, Company I, Thirty-second Volunteer Infantry. </p>	<p> Murder of native by shooting him with carbine, Jan., 1901. (54th A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> 20 years..... </p>	<p> Due to lax condition of discipline among the scouts; sentence inadequate. </p>
<p> John J. Burke, Company I, Forty-third Volunteer Infantry. </p>	<p> Striking and kicking native prisoner, Oct., 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> \$50..... </p>	<p> No..... </p>	<p> Sentence inadequate. </p>
<p> John L. Souther, Company L, Forty-third Volunteer Infantry. </p>	<p> Assault and battery upon three natives and firing revolver into house of native woman, etc., June, 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> \$50..... </p>	<p> No..... </p>	<p> The sentence is deemed inadequate. </p>
<p> Thomas Martin, Company B, Twenty-seventh Infantry. </p>	<p> Offering violence to native, etc., July, 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> 1 month's pay..... </p>	<p> No..... </p>	
<p> Frank J. Smith, Company K, Thirty-fifth Volunteer Infantry. </p>	<p> Maltreating a native, July, 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> 1 month's pay..... </p>	<p> 1 month..... </p>	
<p> Oby Mattox, Company K, Thirty-fifth Volunteer Infantry. </p>	<p> Maltreating a native, July, 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> \$10..... </p>	<p> 1 month..... </p>	<p> Confinement remitted. </p>
<p> Thomas F. Leach, Company F, Twelfth Infantry. </p>	<p> Making an improper advance to a native woman, etc., July, 1900. (62d A. of W.) </p>	<p> No..... </p>	<p> \$50..... </p>	<p> 6 months..... </p>	
<p> Bert E. Kingham, Company A, Thirty-second Infantry. </p>	<p> Striking a native in the face, etc., Aug., 1900. (62d A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> 6 months..... </p>	
<p> Charles Jones, Company G, Eighteenth Infantry. </p>	<p> Passing facsimile of Confederate note for \$50, August, 1900. (62d A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> 3 years..... </p>	<p> Confinement mitigated to 2 years. </p>
<p> James P. Lawton, Battery G, Sixth Artillery. </p>	<p> Highway robbery, assault, and battery upon natives, September, 1900. (54th A. of W.) </p>	<p> Yes..... </p>	<p> Yes..... </p>	<p> 1 year..... </p>	

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Frank Kirkpatrick, Battery G, Sixth Artillery.	Highway robbery, assault, and battery upon natives, September, 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	
Albert D. Castleberry, Company I, Forty-fourth Volunteer Infantry.	Larceny of \$48 from a native woman, June, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
James G. Needles, Hospital Corps.	Larceny of meerschampipe holder, value 10 pesos, December, 1900. (62d A. of W.)	No.....	\$72.....	6 months.....	
William Kirby, Company D, Nineteenth Infantry.	Robbery, assault, and making illegal demand for money, February, 1901. (58th A. of W.)	No.....	\$40.....	4 months.....	
James P. Quigley, Company K, Forty-third Volunteer Infantry.	Larceny of 20 pesos from a native, July, 1900. (62d A. of W.)	Yes.....	Yes.....	.....
Albert Whitehead, Company I, Forty-fourth Volunteer Infantry.	Larceny of \$48, Mexican, June, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Charles Bertachey, Hospital Corps, U. S. A.	Assaulting a native boy, knocking him down and kicking him, etc., June, 1900. (62d A. of W.)	No.....	\$30.....	3 months.....	
John J. Convery, Company F, Eighteenth Infantry.	Larceny of \$10 from a native, etc., June, 1900. (62d A. of W.)	Yes.....	Yes.....	2 years.....	
Christian N. Anderson, Company G, Eighteenth Infantry.	Using foul language toward and threatening native, etc., September, 1900. (62d A. of W.)	No.....	\$120.....	1 year.....	
William A. Cambell, Hospital Corps, U. S. A.	Entering native house and creating disturbance causing inhabitants to leave, etc., May, 1900. (62d A. of W.)	No.....	\$60.....	6 months.....	
Walter S. Thorp, Company A, Twenty-third Infantry.	Larceny of beer, etc., from store of native, value \$5.50, Mexican currency, April, 1900. (58th A. of W.)	Yes.....	Yes.....	3 months.....	Mitigated to 3 months and forfeiture of \$36.
George King, Company C, Twenty-sixth Volunteer Infantry.	Larceny of diamond ring valued at \$50, and \$30 Mexican, the property of a native, February, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Elmer E. Kellenberger, Company E, Eighteenth Infantry.	In company with others stealing from native articles valued at \$4, Mexican, etc., August, 1900. (62d A. of W.)	Yes.....	Yes.....	2 years.....	
Edward Madison, Company G, Forty-fourth Volunteer Infantry.	Assault upon native men and women for refusing him tabs and money, October, 1900. (62d A. of W.)	Yes.....	Yes.....	8 months.....	
Henry Harding, Company H, Thirty-eighth Volunteer Infantry.	Firing two revolver shots and one carbine at natives, maliciously and without provocation, September, 1900. (62d A. of W.)	No.....	\$60.....	2 months.....	

	Accused upon native men and women without provocation, April, 1900. (62d A. of W.)	No	Yes	6 months	
James W. Davis, Company K, Sixth Infantry.	Striking a native woman while she was in a delicate condition, etc., July, 1900. (62d A. of W.)	Yes	Yes	1 year	
William Campbell, Company I, Forty-fourth Volunteer Infantry.	Larceny of \$40 Mexican, from a native, Mar., 1900. (62d A. of W.)	Yes	Yes	1 year	
William Tomlinson, Company I, Forty-fourth Volunteer Infantry.	In company with others stealing from native articles valued at \$1 Mexican, etc., Aug., 1900. (62d A. of W.)	Yes	Yes	18 months	
Ralph R. Avery, Company K, Eighteenth Infantry.	Robbery of natives by entering house, intimidating, and carrying away \$11 and 3 gold earrings, etc., Apr., 1900. (58th A. of W.)	Yes	Yes	5 years	Mitigated to 6 months' confinement.
Dennis McCarthy, Company L, Twenty-sixth U. S. Volunteer Infantry.	Terrorizing, and destroying property of natives that he was assigned to guard and protect, Apr., 1900. (62d A. of W.)	Yes	Yes	1 year	Mitigated to 4 months' confinement and forfeiture of \$43.
William E. Warner, Company H, Sixth Infantry.	Larceny of money and property, value 61 pesos, Jan., 1900. (62d A. of W.)	Yes	Yes	1 year	
Adolph Russell, Company B, Nineteenth Infantry.	Larceny of money and property valued at 61 pesos, Jan., 1900. (62d A. of W.)	Yes	Yes	2 years	
Mat Clark, Company B, Nineteenth Infantry.	In company with others, stealing from a native articles, value \$4 Mex., etc., Aug., 1900. (62d A. of W.)	Yes	Yes	1 year	
Thomas Kiernan, Company F, Eighteenth Infantry.	Forcefully taking a carromato from a native, etc., Mar., 1900. (62d A. of W.)	No	\$40.	4 months	
David H. Plerson, Troop E, Fourth Cavalry.	Larceny of 2 handkerchiefs and 1 pair of socks from a native house, value not stated, Sept., 1900. (62d A. of W.)	Yes	Yes	1 year	Confinement remitted to 6 months.
William H. Morse, Troop C, Fourth Cavalry.	Larceny of \$10 worth of property from a native, and destroying property of a native valued at \$19, Mex., Apr., 1900. (62d A. of W.)	Yes	Yes	1 year	
Joseph H. Davis, Company K, Forty-seventh Volunteer Infantry.	Making disturbance in native house and stealing property valued at \$2.25, Oct., 1901. (62d A. of W.)	Yes	Yes	6 months	
Otho Way, Troop K, First Cavalry.	Assault upon and larceny of cigarettes, value 50 cents, from a native, Sept., 1901. (62d A. of W.)	No	\$60.	6 months	
Charles O'Keefe, Fifthteenth Battery, Field Artillery.	Falling to secure entrance, did fire a pistol shot through door of native cabin, Aug., 1901. (62d A. of W.)	Yes	Yes	3 months	
Michael Walker, Company C, Ninth Cavalry.	Larceny of chalice and two smaller vessels from native church, value \$15, Feb., 1900. (62d A. of W.)	Yes	Yes	3 years	
Alvin J. Gross, Company L, Nineteenth Infantry.	Larceny of 1 ring and earring, value \$14.40 Mexican, June, 1900. (62d A. of W.)	Yes			
Jay Dextader, Company M, Eighteenth Infantry.					

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
George Balger, Company L, Twenty-sixth U. S. V. Infantry.	Assault and battery by striking native with fist, August, 1900. (58th A. of W.)	No.....	\$00.....	6 months.....	
David L. Logan, Company K, Fourth Infantry.	Assault and battery by striking native with fist, August, 1900. (62d A. of W.)	No.....	\$00.....	6 months.....	
Joseph G. Finner, Troop C, Fourth Cavalry.	Larceny of 4 pesos, September, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Frank Snyder, Troop C, Fourth Cavalry.	Larceny of 4 pesos, September, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Denton L. Sims, Company H, Thirty-eighth U. S. V. Infantry.	Arson, burning native house, August, 1900. (58th A. of W.)	Yes.....	Yes.....	10 months.....	
Henry Bour, Troop C, Fourth Cavalry.	Larceny of 4 pesos, September 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Robert F. Griffin, Company C, Thirty-eighth U. S. V. Infantry.	Arson, burning native house, August, 1900. (58th A. of W.)	Yes.....	Yes.....	10 months.....	
Chalmers Buckner, Company H, Thirty-eighth U. S. V. Infantry.	Larceny of 4 pesos, September, 1900. (62d A. of W.)	Yes.....	Yes.....	1 year.....	
Port J. Rowan, Company I, Forty-fourth U. S. V. Infantry.	Robbery of 3 natives of \$26 Mexican, April, 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	Confinement mitigated to 6 months.
John Cote, Company L, Twenty-sixth U. S. V. Infantry.	Robbery of \$9, Mexican, and other property of native, etc., Apr., 1900. (58th A. of W.)	Yes.....	Yes.....	2 years.....	
George W. Chittenden, Company M, Sixth Infantry.	Murder, by shooting native with rifle, Mar., 1900. (58th A. of W.)	Yes.....	Yes.....	Life.....	Reduced to 20 years.
Michael C. Simpler, Company M, Thirtieth Infantry.	Assaulting a native woman with intent to commit rape, Sept., 1900. (58th A. of W.)	Yes.....	Yes.....	15 years.....	Confinement mitigated to 10 years.
Joseph W. Zorn, Troop B, Eleventh Cavalry.	Larceny of 186.30 pesos from a native, etc., Aug., 1900. (58th A. of W.)	Yes.....	Yes.....	1 year.....	
Jeremiah Hoge, Company F, Forty-seventh Infantry, U. S. V.	Striking a native, etc., May, 1900. (62d A. of W.)	Yes.....	Yes.....	10 years.....	Confinement mitigated to 2 years.
Thomas C. Townsend, Company M, Forty-fifth Volunteer Infantry.	Stealing and destroying native's property, etc., Oct., 1900. (62d A. of W.)	Yes.....	Yes.....	18 months.....	
Harry P. Allen, Company E, Signal Corps, U. S. A.	Robbing natives of chickens at the point of his pistol, etc., Sept., 1900. (58th A. of W.)	Yes.....	Yes.....	2 years.....	Confinement reduced to 1 year.

NAME AND SERVICE.	CRIME AND WARRANTING NATIVE OFFENSES.	Yes.....	No.....	Yes.....	No.....	15 months.....	15 months.....	Reduced to 1 year.
Patrick J. Walsh, Company I, Fifteenth Infantry.	Drunk and womanizing native at police, March, 1901. (62d A. of W.) Entering native house and forcing inmates to go up the road, and trying to separate native girl from her brother, January, 1901. (62d A. of W.), etc.	Yes.....	Yes.....	Yes.....	Yes.....	15 months.....	15 months.....	Reduced to 1 year.
Walter Cox, Company I, Fifteenth Infantry.	Ransacking native house and forcing inmates to go up the road, and assaulting widow and her son by striking them, January, 1901. (62d A. of W.) Threatening to shoot native if he did not get him some vino, February, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	1 year.....	1 year.....	Reduced to 6 months.
William McCarath, Company D, Fifteenth Infantry.	Disorderly conduct in native house and attempting to assault 2 inmates, and assaulting native and his daughter, February, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	1 year.....	1 year.....	Reduced to 6 months.
William J. Murr, Company H, Forty-seventh Volunteer Infantry.	Raping native woman aged 60, throwing her to the floor, and branding her, February, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	10 years.....	10 years.....	Reduced to 6 months.
William Harvey, Retainer....	Robbing native of \$5, Mexican, November, 1901. (62d A. of W.) Robbing native of \$5, Mexican, November, 1901. (62d A. of W.) Robbing native of \$5, Mexican, November, 1901. (62d A. of W.) Assaulting native policeman, April, 1901. (62d A. of W.) Assaulting native policeman, April, 1901. (62d A. of W.) Assault and battery, with intent to commit rape on native woman, May, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	1 year.....	1 year.....	Reduced to 6 months.
Alexander Stewart, Company G, Ninth Cavalry.	Robbing native of \$5, Mexican, November, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	1 year.....	1 year.....	Reduced to 6 months.
Calbert Perkins, Company G, Ninth Cavalry.	Robbing native of \$5, Mexican, November, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	2 years.....	2 years.....	Mitigated to 6 months' confinement.
Howard P. Smith, Company K, Fourth Infantry.	Assaulting native policeman, April, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	2 years.....	2 years.....	Mitigated to 6 months' confinement.
Frank Shole, Company K, Fourth Infantry.	Assaulting native policeman, April, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	2 years.....	2 years.....	Mitigated to 6 months' confinement.
James Young, Troop B, Ninth Cavalry.	Assault and battery, with intent to commit rape on native woman, May, 1901. (62d A. of W.)	Yes.....	Yes.....	Yes.....	Yes.....	5 years.....	5 years.....	Mitigated to 6 months' confinement.
Joseph Gibson, Troop C, First Cavalry.	Larceny of \$7.50 from native gambling house, June, 1901 (62d A. of W.), etc.	Yes.....	Yes.....	Yes.....	Yes.....	1 year, reduced to 6 months.....	1 year, reduced to 6 months.....	Mitigated to 6 months' confinement.
Polycarpe Nadeau, Company H, Twenty-first Infantry.	Larceny of \$250 Mexican, by entering native house and breaking open box, July, 1901. (62d A. of W.)	No.....	No.....	No.....	No.....	6 months.....	6 months.....	Mitigated to 6 months' confinement.
Frederick A. Washington, Company B, Twenty-fourth Infantry.	Entering a native's house and assaulting a native woman, March, 1902. (62d A. of W.)	No.....	No.....	No.....	No.....	2 months.....	2 months.....	Mitigated to 6 months' confinement.
Dennis Minor, Company H, Twenty-fourth Infantry.	Seizing a native policeman by the throat and applying profane and abusive epithets to him, October, 1901. (62d A. of W.)	No.....	No.....	No.....	No.....	4 months.....	4 months.....	Mitigated to 6 months' confinement.
Anton Dehoff, Company L, Fifth Infantry.	Assault and battery upon the municipal president of Lugo, Luzon, P. I., a native, September, 1901. (62d A. of W.)	No.....	No.....	No.....	No.....	3 months.....	3 months.....	Mitigated to 6 months' confinement.

Memorandum in regard to trials by courts-martial and military commissions, etc.—Continued.

Name and organization.	Offense and date of its commission.	Sentence.			Remarks.
		Dishonorable discharge.	Forfeiture of pay and allowances.	Confinement.	
Eddie McFadden, Company G, Twenty-fifth Infantry.	Entering house of native and feloniously assaulting wife of said native by choking her and by striking her in the face with his fist, "causing her great pain," (and larceny, not from native), August, 1901. (62d A. of W.)	Yes	Yes	2 years	
Eugene Supper, Company A, Twenty-sixth Infantry.	Breaking into native house in nighttime, May 9, 1901 (62d A. of W.).	No	\$90	6 months, reduced to 2 months.	
Thomas H. McLaughan, Company L, Eighth Infantry.	Assaulting and raping middle-aged native woman, April, 1901 (58th A. of W.).	Yes	Yes	15 years.	
Arthur Smith, Company L, Eighth Infantry.	Assaulting and raping middle-aged native woman, April, 1901 (58th A. of W.).	Yes	Yes	15 years.	
Clarence Jackson, Company L, Eighth Infantry.	Attempt to commit rape on middle-aged native woman, April, 1901 (62d A. of W.).	Yes	Yes	7 years.	
Isaac Oppenheimer, Company L, Eighth Infantry.	Raping middle-aged native woman, April, 1901, etc. (58th A. of W.).	Yes	Yes	20 years, reduced to 17 years.	
Harry A. Mooney, Company L, Eighth Infantry.	Raping middle-aged native woman, April, 1901 (58th A. of W.).	Yes	Yes	20 years, reduced to 17 years.	

L ORDERS, }
12.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, February 6, 1902.

a general court-martial, which convened at Manila, Philippine Islands, to Special Orders, No. 173, Department of Southern Luzon, June 22, 1901, which Lieut. Col. Louis H. Rucker, Sixth Cavalry, was president, and Capt. E. Pierce, Thirteenth Infantry, was judge-advocate, was arraigned and

Lieut. Preston Brown, Second U. S. Infantry.

RE.—“Murder, in violation of the Fifty-eighth Article of War.”

ention.—“In that First Lieut. Preston Brown, Second Infantry, did willfully, sly, and with malice aforethought, murder and kill by shooting with a pistol med. unresisting native Filipino, name unknown, a prisoner of war in his and as a result of said shooting, the native did then and there die. This at of insurrection in the Philippine Islands, under the military government of ted States, at or near Binangonan, Infanta Province, Luzon, P. I., on or about er 22, 1900.”

hich charge and specification the accused, First Lieut. Preston Brown, U. S. Infantry, pleaded as follows:

e specification, “Not guilty.”

e charge, “Not guilty.”

FINDING.

e specification, “Guilty, except the words ‘feloniously and with malice aforet murder and,’ and of the excepted words not guilty.”

e charge, “Guilty, except the word ‘murder,’ substituting therefor the word ughter;’ of the excepted word not guilty and of the substituted word guilty.”

SENTENCE.

the court does therefore sentence him, First Lieut. Preston Brown, Second Infantry, “To be dismissed from the service of the United States and then to be d at hard labor in such United States penitentiary as the reviewing authority rect for the period of five years.”

record of the proceedings of the general court-martial in the foregoing case of ient. Preston Brown, Second U. S. Infantry, having been submitted to the nt, the following are his orders thereon:

WHITE HOUSE, January 27, 1902.

uch of the sentence in this case as imposes imprisonment is disapproved, and b of the sentence as imposes dismissal is confirmed and commuted to a reduc- 30 files in lineal rank on the list of first lieutenants of infantry and a for- of one-half of the officer's monthly pay for a period of nine months.

THEODORE ROOSEVELT.

rection of the Secretary of War, First Lieut. Preston Brown, Second U. S. y. will be released from arrest and restored to duty.

mand of Lieutenant-General Miles:

H. C. CORBIN,
Adjutant-General, Major-General U. S. A.

L ORDERS. }
105.

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, August 7, 1901.

a general court-martial which convened at Cebu, Cebu, Philippine Islands, it to Special Orders, No. 2, Department of the Visayas, April 20, 1900, and of Maj. John G. Lee, Nineteenth Infantry, was president, and Capt. Edward in, adjutant, Forty-fourth Infantry, U. S. Volunteers, was judge-advocate, agued and tried—

re Phineas Foutz, Company K, Nineteenth U. S. Infantry.

RE.—“Murder, in violation of the Fifty-eighth Article of War.”

ention.—“In that private Phineas Foutz, Company K, Nineteenth Infantry, er the house of one Florentina Cenza, a native, and did then and there will-

fully, feloniously, and with malice aforethought kill and murder Geneviva Torres, a native girl, by stabbing the said Geneviva Torres with a sword cane held in the hands of the said Phineas Foutz, private, Company K, Nineteenth Infantry, inflicting wounds whereof the said Geneviva Torres then and there died. This in the house of the aforesaid Florentina Cenza, at Mandaue, province of Cebu, Philippine Islands, about 5.30 p. m., November 15, 1900, then as now, a time of insurrection against the United States."

PLEA.

To the specification: "Not guilty."
To the charge: "Not guilty."

FINDING.

Of the specification: "Guilty."
Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Private Phineas Foutz, Company K, Nineteenth Infantry, "To be hanged by the neck until he is dead, at such time and place as the proper authority may direct, two-thirds of the members of the court concurring therein."

The sentence in the foregoing case of Private Phineas Foutz, Company K, Nineteenth Infantry, having been approved by the proper reviewing authority and the record of the proceedings forwarded to the President, the following are his orders thereon:

EXECUTIVE MANSION, *July 30, 1901.*

In the foregoing case of Private Phineas Foutz, Company K, Nineteenth Infantry, the sentence is confirmed and will be duly carried into execution at such time and place as may be designated by the commanding general, Department of the Visayas, Philippine Islands.

WILLIAM MCKINLEY.

By command of Lieutenant-General Miles:

THOMAS WARD,
Acting Adjutant-General.

GENERAL ORDERS, }
No. 37. }

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 27, 1900.

Before a general court-martial which convened at Panique, P. I., pursuant to Field Orders, No. 274, Headquarters Second Division, Eighth Army Corps, Bautista, P. I., December 9, 1899, and of which Capt. M. F. Waltz, Twelfth United States Infantry, was president, and Second Lieut. T. E. Merrill, First United States Artillery, was judge-advocate, was arraigned and tried—

Robert Porter, civilian employee, Quartermaster's Department, United States Army.

CHARGE I.—"Violation of the sixty-second article of war."

Specification 1.—"In that Robert Porter, civilian employee, Quartermaster's Department, United States Army, did assault and strike with a revolver one Diego Augustin, an inhabitant of Panique, P. I. This in time of insurrection at or near Panique, P. I., on or about December 10, 1899."

Specification 2.—"In that Robert Porter, civilian employee, Quartermaster's Department, United States Army, did trespass on the property of Dorolio Bauniago, an inhabitant of Panique, P. I., by entering the house of said Bauniago without authority, thereby alarming two native women. This in time of insurrection at or near Panique, P. I., on or about December 10, 1899."

CHARGE II.—"Rape, in violation of the fifty-eighth article of war."

Specification.—"In that Robert Porter, civilian employee, Quartermaster's Department, U. S. Army, did feloniously assault and commit rape on the person of Maria Manliemot. This at Panique, P. I., on or about December 10, 1899."

ADDITIONAL CHARGE.—"Violation of the sixty-second article of war."

Specification.—"In that Robert Porter, a civilian employee of the Quartermaster's Department, U. S. Army, while a prisoner and under charge of a sentry of the provost guard, did escape from the charge of said sentry. This at Panique, P. I., on or about December 15, 1899."

PLEA.

Charge I.

first specification: "Guilty, excepting the word 'revolver' and substituting for the word 'stone;' to the excepted word, not guilty."

second specification: "Not guilty."

charge: "Guilty."

Charge II.

specification: "Not guilty."

charge: "Not guilty."

Additional charge.

specification: "Guilty."

charge: "Guilty."

FINDING.

Charge I.

first specification: "Guilty."

second specification: "Guilty."

charge: "Guilty."

Charge II.

specification: "Guilty."

charge: "Guilty."

Additional charge.

specification: "Guilty."

charge: "Guilty."

SENTENCE.

the court does therefore sentence him, Robert Porter, civilian employee, Quartermaster's Department, United States Army, "To be punished with death by hanging at such time and place as the reviewing authority may direct, two-thirds of the members present concurring."

Record of the proceedings of the general court-martial in the foregoing case of Robert Porter, civilian employee, Quartermaster's Department, United States Army, has been forwarded for the action of the President, the following are his orders:

EXECUTIVE MANSION, March 24, 1900.

Sentence in the foregoing case of Robert Porter, civilian employee of the Quartermaster's Department, United States Army, is confirmed and is commuted to confinement at hard labor in a penitentiary for the period of twenty years.

WILLIAM MCKINLEY.

By direction of the Secretary of War, the confinement in a penitentiary will be at the United States penitentiary, Fort Leavenworth, Kans., where the prisoner will be sent under proper guard at the first favorable opportunity by the commanding general, Department of the Pacific and Eighth Army Corps.

By command of Major-General Miles:

H. C. CORBIN, Adjutant-General.

ORDERS }
208.

HEADQUARTERS OF THE ARMY.
ADJUTANT GENERAL'S OFFICE.
Washington, December 16, 1899.

Before a general court-martial which convened at Balinag, Philippine Islands, in accordance with Field Orders, No. 97, Headquarters Second Division, Eighth Army Corps, San Fernando, P. I., June 7, 1899, and of which Capt. William C. Buttler,

Third United States Infantry, was president, and First Lieut. James T. Moore, Third U. S. Infantry, was judge-advocate, was arraigned and tried—

Private William E. Scarborough, Company B, Third U. S. Infantry.

CHARGE I.—“Disorderly conduct, to the prejudice of good order and military discipline.”

Specification.—“In that Private William E. Scarborough, Company B, Third Infantry, did, without permission or authority, enter the houses of peaceable Filipino residents of the island of Novotas, near Manila, P. I., and terrify men, women, and children by discharging his rifle into and around their houses. This at the place above specified on the 21st day of April, 1899.”

CHARGE II.—“Rape, in violation of the Fifty-eighth article of war.”

Specification.—“In that Private William E. Scarborough, Company B, Third Infantry, did criminally assault and commit rape upon the person of Aldiana Dionisia, a middle-aged Filipino woman, in a house on the island of Novotas, near Manila, P. I. This at the place above specified, in the time of insurrection on the Philippine Islands, on the 21st day of April, 1899.”

PLEA.

Charge I.

To the specification: “Not guilty.”

To the charge: “Not guilty.”

Charge II.

To the specification: “Not guilty.”

To the charge: “Not guilty.”

FINDINGS.

Charge I.

Of the specification: “Guilty.”

Of the charge: “Guilty.”

Charge II.

Of the specification: “Guilty.”

Of the charge: “Guilty.”

SENTENCE.

And the court does therefore sentence him, Private William E. Scarborough, Company B, Third United States Infantry, “To suffer death in such manner and at such time and place as the reviewing authority may direct, two-thirds of the members concurring therein.”

The records of the proceedings of the general court-martial in the foregoing case of Private William E. Scarborough, Company B, Third United States Infantry, having been forwarded for the action of the President, the following are his orders thereon:

EXECUTIVE MANSION, *December 16, 1899.*

The sentence in the foregoing case of Private William E. Scarborough, Company B, Third United States Infantry, is confirmed and is commuted to dishonorable discharge from the service of the United States, with forfeiture of all pay and allowances, and confinement at hard labor in a penitentiary for the period of twenty years.

WILLIAM MCKINLEY.

II. Before a general court-martial which convened at Manila, Philippine Islands, pursuant to Special Orders, No. 141, Headquarters Provost-Marshal-General (separate brigade, provost guard), Manila, P. I., July 31, 1899, and of which Maj. John B. Rodman, Twentieth United States Infantry, was president, and First Lieut. John W. Haussermann, Twentieth Kansas Volunteer Infantry, was judge-advocate, was arraigned and tried—

Private Otto R. Conine, Company B, Sixteenth United States Infantry.

CHARGE.—“Violation of the fifty-eighth article of war.”

Specification 1.—“In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in the time of insurrection, feloniously and burglariously enter the house of a native, Alcadio Felician, Calle Cervantes, No. 2, and did take therefrom and appropriate to his own use money to the value of \$20, Mexican currency, the

ty of the said Alcadio Felician. This at Manila, P. I., at about 1 o'clock a. m. 5, 1899."

Specification 2.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously and burglariously break and enter dwelling house of a native, Tiburcio Prospero, Calle Cervantes, No. 20, and did therefrom money to the value of \$70, Mexican currency, and did appropriate same to his own use, said money being the property of Tiburcio Prospero. This at Manila, P. I., at about 3.20 o'clock a. m. July 25, 1899."

Specification 3.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in time of insurrection, break into and enter the house of a native, Ebengelista, and did take, steal, and carry away therefrom money to the amount of \$40, more or less, Mexican currency, said money being the property of Juana Ebengelista. This at Manila, P. I., at about 12.30 o'clock a. m. July 25, 1899."

Specification 4.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in the time of insurrection, burglariously enter the house of Pablaciona and did take therefrom 75 cents, Mexican currency. This at Manila, P. I., at 4 o'clock, a. m. July 25, 1899."

Specification 5.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in the time of insurrection, burglariously enter the house of Pilar de la Cruz, and did take, steal, and carry away therefrom money to the amount of \$4.50, Mexican currency. This at Manila, P. I., about 11 o'clock p. m. July 24, 1899."

Specification 6.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in a time of insurrection, burglariously break and enter the house of Tiburcio Prospero, and did take, steal, and carry away money to the amount of \$8.20, Mexican currency. This at Manila, P. I., about 3 o'clock a. m., July 25, 1899."

Specification 7.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously enter the house of Leon Leonardo, No. 10 Calle Cervantes (interior), and did there assault and rape the person of Gabriella Leonardo, wife of said Leon Leonardo. This at Manila, P. I., between 11 o'clock p. m. July 24, 1899, and 2 o'clock a. m., July 25, 1899."

Specification 8.—"In that he, Private Otto R. Conine, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously enter the house of Leon Leonardo, No. 10 Calle Cervantes (interior), and did there assault and rape the person of Faustina Leonardo, mother of Leon Leonardo. This at Manila, P. I., between 11 o'clock p. m. July 24, 1899, and 2 o'clock a. m., July 25, 1899."

PLEA.

Specification 1: "Not guilty."
Specification 2: "Not guilty."
Specification 3: "Not guilty."
Specification 4: "Not guilty."
Specification 5: "Not guilty."
Specification 6: "Not guilty."
Specification 7: "Not guilty."
Specification 8: "Not guilty."
The charge: "Not guilty."

FINDING.

Specification 1: "Not guilty."
Specification 2: "Guilty."
Specification 3: "Not guilty."
Specification 4: "Not guilty."
Specification 5: "Guilty."
Specification 6: "Not guilty."
Specification 7: "Guilty."
Specification 8: "Guilty."
The charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Private Otto R. Conine, Company B, Sixteenth United States Infantry, "To be shot to death by musketry, at such time and place as the reviewing authority may direct, two-thirds of the members concurring therein."

And the record of the proceedings of the general court-martial in the foregoing case of

Private Otto R. Conine, Company B, Sixteenth United States Infantry, having been forwarded for the action of the President, the following are his orders thereon:

EXECUTIVE MANSION, *December 16, 1899.*

The sentence in the foregoing case of Private Otto R. Conine, Company B, Sixteenth United States Infantry, is confirmed, and is commuted to dishonorable discharge from the service of the United States, with forfeiture of all pay and allowances, and confinement at hard labor in a penitentiary for the period of twenty years.

WILLIAM MCKINLEY.

III. Before a general court-martial, which convened at Manila, P. I., pursuant to Special Orders, No. 151, Headquarters Provost-Marshal-General (separate brigade, provost guard), Manila, P. I., August 16, 1899, and of which Maj. Joseph F. Huston, Nineteenth U. S. Infantry, was president, and First Lieut. John W. Haussermann, Twentieth Kansas Volunteers, was judge-advocate, was arraigned and tried—

Corpl. George Danphoffer, Company B, Sixteenth Infantry.

CHARGE.—“Violation of the fifty-eighth article of war.”

Specification 1.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously and burglariously enter the house of a native, Alcadio Felician, Calle Cervantes, No. 2, and did take therefrom and appropriate to his own use money to the amount of \$20, more or less, Mexican currency, the property of the said Alcadio Felician. This at Manila, P. I., at about 1 o'clock a. m., July 25, 1899.”

Specification 2.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously and burglariously break and enter the dwelling house of a native, Tiburcio Prospero, Calle Cervantes No. 20, and did take therefrom money to the amount of \$70, more or less, Mexican currency, and did appropriate same to his own use, said money being the property of the said Tiburcio Prospero. This at Manila, P. I., at about 3.20 o'clock a. m. July 25, 1899.”

Specification 3.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, break and enter the house of Juana Ebengelista, and did take, steal, and carry away therefrom money to the amount of \$40, more or less, Mexican currency, said money being the property of Juana Ebengelista. This at Manila, P. I., at about 12.30 o'clock a. m. July 25, 1899.”

Specification 4.—“In that Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, burglariously enter the house of Pabliana Jose, and did take therefrom 75 cents, Mexican currency. This at Manila, P. I., at about 4 o'clock a. m. July 25, 1899.”

Specification 5.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, burglariously enter the house of Pilar de la Cruz, and did take, steal, and carry away therefrom money to the amount of \$4.50, Mexican currency. This at Manila, P. I., at about 11 o'clock p. m. July 24, 1899.”

Specification 6.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did burglariously break and enter the house of Tiburcio Santos, and did take, steal, and carry away money to the amount of \$8.20, Mexican currency. This at Manila, P. I., at about 3 o'clock a. m. July 25, 1899.”

Specification 7.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously enter the house of Leon Leonardo, No. 25 Calle Cervantes (interior), and did there assault and rape the person of Gabriella Marcellina, wife of said Leon Leonardo. This at Manila, P. I., between 11 o'clock p. m., July 24, 1899, and 2 o'clock a. m., July 25, 1899.”

Specification 8.—“In that he, Corpl. George Danphoffer, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously enter the house of Leon Leonardo, No. 25 Calle Cervantes (interior), and did there assault and rape the person of Faustina Leonardo, mother of Leon Leonardo. This at Manila, P. I., between 11 o'clock p. m., July 24, 1899, and 2 o'clock a. m., July 25, 1899.”

PLEA.

To specification 1: “Not guilty.”

To specification 2: “Not guilty.”

To specification 3: “Not guilty.”

To specification 4: “Not guilty.”

To specification 5: “Not guilty.”

To specification 6: “Not guilty.”

To specification 7: “Not guilty.”

To specification 8: “Not guilty.”

To the charge: “Not guilty.”

FINDING

Of specification 1: "Guilty."
 Of specification 2: "Guilty."
 Of specification 3: "Not guilty."
 Of specification 4: "Not guilty."
 Of specification 5: "Guilty."
 Of specification 6: "Not guilty."
 Of specification 7: "Guilty."
 Of specification 8: "Not guilty."
 Of the charge: "Guilty."

SENTENCE

And the court does therefore sentence him, Corpl. George Danphoffer, Company B, Sixteenth Infantry, "to be dishonorably discharged the service of the United States, forfeiting all pay and allowances due him, and to be confined at hard labor in such penitentiary as the reviewing authority may direct for the period of his natural life."

The record of the proceedings of the general court-martial in the foregoing case of Corpl. George Danphoffer, Company B, Sixteenth Infantry, having been forwarded for the action of the President, the following are his orders thereon:

EXECUTIVE MANSION, *December 16, 1899.*

The sentence in the foregoing case of Corpl. George Danphoffer, Company B, Sixteenth United States Infantry, is confirmed and is commuted to dishonorable discharge from the service of the United States with forfeiture of all pay and allowances, and confinement at hard labor in a penitentiary for the period of twenty years.

WILLIAM MCKINLEY.

IV. Before a general court-martial which convened at Manila, P. I., pursuant to Special Orders, No. 161, Headquarters Provost-Marshal-General (separate brigade, provost guard), Manila, P. I., September 1, 1899, and of which Maj. William Quintana, Fourteenth U. S. Infantry, was president, and First Lieut. J. W. Haussermann, U. S. Volunteer Infantry, unassigned, was judge-advocate, was arraigned and tried—Private Peter McBennett, Company B, Sixteenth U. S. Infantry.

CHARGE I.—"Violation of the fifty-eighth article of war."

Specification.—"In that he, Private Peter McBennett, Company B, Sixteenth U. S. Infantry, did, in time of insurrection, assist in feloniously and burglariously breaking and entering the store of a native, Tiburcio Prospero, No. 20 Calle Cervantes, by standing as guard at the door thereof while his two companions entered the house and took, stole, and carried away money to the amount of \$70.00, more or less, Mexican currency, and a quantity of liquors, cigars, and cigarettes. This at Manila, P. I., between 11 o'clock p. m. July 24, 1899, and 2 o'clock a. m. July 25, 1899."

CHARGE II.—"Violation of the sixty-second article of war."

Specification 1.—"In that he, Private Peter McBennett, Company B, Sixteenth Infantry, was drunk and disorderly on the streets of Manila, P. I. This at Manila, P. I., between 11 o'clock p. m. July 24, 1899, and 2 o'clock a. m. July 25, 1899."

Specification 2.—"In that he, Private Peter McBennett, Company B, Sixteenth Infantry, was on the streets of Manila, P. I., after 8.30 p. m., in violation of the order of the military governor. This at Manila, P. I., between the hours of 11 o'clock p. m. July 24, 1899, and 2 o'clock a. m. July 25, 1899."

ADDITIONAL CHARGE I.—"Burglary, in violation of the fifty-eighth article of war."

Specification.—"In that he, Private Peter McBennett, Company B, Sixteenth Infantry, did, in time of insurrection, break into and enter the house of Pilar de la Cruz with intent to commit a felony, and did take, steal, and carry away therefrom money to the amount of \$4.50, Mexican currency. This at Manila, P. I., on or about 1 o'clock p. m. on the 24th day of July, 1899."

ADDITIONAL CHARGE II.—"Rape, in violation of the fifty-eighth article of war."

Specification.—"In that he, Private Peter McBennett, Company B, Sixteenth Infantry, did, in time of insurrection, feloniously enter the house of Leon Leonardo, No. 25 Calle Cervantes (interior), and did there assault and rape the person of Faustina Leonardo, mother of Leonardo. This at Manila, P. I., between 11 o'clock p. m. July 24, 1899, and 2 o'clock a. m. July 25, 1899."

PLEA.

Charge I.

To the specification: "Not guilty."

To the charge: "Not guilty."

Charge II.

To specification 1: "Guilty, except the words 'and disorderly;' of the except words, not guilty."

To specification 2: "Guilty."

To the charge: "Guilty."

Additional Charge I.

To the specification: "Not guilty."

To the charge: "Not guilty."

Additional Charge II.

To the specification: "Not guilty."

To the charge: "Not guilty."

FINDING.

Charge I.

Of the specification: "Guilty."

Of the charge: "Guilty."

Charge II.

Of specification 1: "Guilty."

Of specification 2: "Guilty."

Of the charge: "Guilty."

Additional Charge I.

Of the specification: "Guilty."

Of the charge: "Guilty."

Additional Charge II.

Of the specification: "Guilty."

Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Private Peter McBennett, Company B, Sixteenth Infantry, "to be shot to death with musketry at such time and place as the proper authority may direct, two-thirds of the court concurring therein."

The record of the proceedings of the general court-martial in the foregoing case of Private Peter McBennett, Company B, Sixteenth Infantry, having been forwarded for the action of the President, the following are his orders thereon:

EXECUTIVE MANSION, *December 16, 1898*

The sentence in the foregoing case of Private Peter McBennett, Company B, Sixteenth United States Infantry, is confirmed and is commuted to dishonorable discharge from the service of the United States with forfeiture of all pay and allowances and confinement at hard labor in a penitentiary for the period of twenty years.

WILLIAM MCKINLEY

direction of the Secretary of War, so much of the sentences in the foregoing of Corporal Danphoffer, Privates Scarborough, Conine, and McBennett as to confinement, will be executed at the United States Penitentiary, Fort Leavenworth, Kans., where the prisoners will be sent under proper guard at the first opportunity by the commanding general, Department of the Pacific and Army Corps.

Command of Major-General Miles:

H. C. CORBIN, *Adjutant-General.*

ORDERS, } HEADQUARTERS DEPARTMENT OF NORTHERN LUZON,
7. } *Manila, P. I., February 18, 1901.*

a general court-martial which convened at San Fernando de la Union, P. I., pursuant to paragraph 7, Special Orders, No. 204, Headquarters Department of Northern Luzon, dated Manila, P. I., November 21, 1900, and of which Brigadier-General Rice, Forty-eighth Infantry, U. S. Volunteers, was president, and Lieutenant Frank A. Barton, Third U. S. Cavalry, was judge-advocate, were held and tried:

Edward M. Brodie, Troop C, Third U. S. Cavalry, and Private James F. Coffey, Troop C, Third U. S. Cavalry.

Charge.—“Murder, in violation of the fifty-eighth article of war.”

Verdict.—“In that Private Edward M. Brodie, Troop C, Third U. S. Cavalry, and Private James F. Coffey, Troop C, Third U. S. Cavalry, and each of them, did, on or near the barrio of Panecsican, pueblo of San Juan, Union, at or about 10 o'clock p. m., on or about the 13th day of November, 1900,”

kill and murder one Andris Catbagan, a native boy about 10 years of age, by shooting him with a pistol, said pistol being held by the said Private Edward M. Brodie, Troop C, Third Cavalry, inflicting a wound therewith whereof he, the said Catbagan, then and there died.

PLEAS.

Specification: “Not guilty.”

Charge: “Not guilty.”

FINDINGS.

Specification: “Guilty.”

Charge: “Guilty.”

SENTENCE.

The court does therefore sentence him, Private Edward M. Brodie, Troop C, Third U. S. Cavalry, “to be dishonorably discharged the service of the United States, forfeiting all pay and allowances due him, and to be confined at hard labor, at such place as the reviewing authority may direct, for the term of his natural life.” The court, after considering the evidence of one previous conviction, does sentence him, Private James F. Coffey, Troop C, Third U. S. Cavalry, “to be dishonorably discharged the service of the United States, forfeiting all pay and allowances due him, and to be confined at hard labor, at such place as the reviewing authority may direct, for the term of his natural life.”

In the foregoing case of Privates Edward M. Brodie and James F. Coffey, Troop C, Third U. S. Cavalry, the evidence upon the record is conclusive that they, in wantonness, murdered by shooting a harmless boy whom they met on the way. The taking the life of this innocent human being was, under the circumstances shown upon the record, a crime of peculiar atrocity that might be viewed as a crime by the most debased savage. As soldiers in the Army of the United States they should have been the helpers and defenders of the innocent. Returning from a tour of detached duty to the station of their troop, and not restrained by the presence of the officers and noncommissioned officers of the command to which they belonged, they, in wantonness, perpetrated this crime, for which any punishment known to the law is not too great a punishment. The proceedings and findings are approved. The sentence is approved and confirmed, and will be duly

executed at Bilibid Prison, Manila, P. I., which is designated as the place of confinement, and to which prison Edward M. Brodie and James F. Coffey will be taken under proper guard. The proper commanding officer will be guided in making the transfer by paragraphs 911 (amended by G. O., No. 112, A. G. O., 1899) and 912, A. R., 1895.

By command of Major-General Wheaton:

BENJ. ALVORD,
Assistant Adjutant-General.

GENERAL ORDERS, }
No. 13.

HEADQUARTERS DEPARTMENT OF NORTHERN LUZON,
Manila, P. I., March 12, 1901.

Before a general court-martial which convened at Angeles, province of Pampanga, Luzon, P. I., pursuant to paragraph 1, Special Orders, No. 96, Headquarters Department of Northern Luzon, dated Manila, P. I., July 30, 1900, and of which Maj. Guy H. Preston, Forty-first Infantry, U. S. Volunteers, was president, and Capt. John C. Hegarty, Forty-first Infantry, U. S. Volunteers, was judge advocate, was arraigned and tried:

Private John Allen, Company I, Thirty-second Infantry, U. S. Volunteers.

CHARGE.—“Murder. In violation of the fifty-eighth article of war.”

Specification.—“In that Private John Allen, Company I, Thirty-second Infantry, U. S. Volunteers, on duty with the Fifth District Scouts, Department of Northern Luzon, did, with malice aforethought, willfully and feloniously, kill and murder one Saturnino Sugue, a native of Angeles, Pampanga Province, Luzon Island, by shooting him with a carbine inflicting wounds therewith, whereof the said Sugue then and there died.”

“This at Angeles, Province of Pampanga, Luzon Island, about 4 o'clock p. m., January 20, 1901, in time of insurrection or rebellion against the United States.”

PLEAS.

To the specification: “Not guilty.”

To the charge: “Not guilty.”

FINDINGS.

Of the specification: “Guilty.”

Of the charge: “Guilty.”

SENTENCE.

And the court, after considering the evidence of one previous conviction, does therefore sentence him, Private John Allen, Company I, Thirty-second Infantry, U. S. Volunteers, “To be dishonorably discharged from the service of the United States, with forfeiture of all pay and allowances, now due or to become due, and to be confined at hard labor, at such place as the reviewing authority may direct, for the period of twenty years.” The court is thus lenient because of the extraordinarily lax condition of the discipline prevalent in the organization of which the said Private Allen was a member shown in evidence.

In the foregoing case of Private John Allen, Company I, Thirty-second Infantry, U. S. Volunteers, the proceedings and findings are approved. By the evidence upon the record it is disclosed that the accused, within the limits of a military station, upon his own volition and authority, took into his personal custody a native who had been pointed out to him by another native, as having knowledge of the place of concealment of certain guns; that the accused thereupon bound the arms of the native so arrested, proceeded with him to the quarters of the former, where the accused procured his own gun, unbound the arms of his captive and, preceded by the latter, started out, presumably in quest of the hidden arms. Arriving in an open field in rear of the quarters, the accused halted, knelt upon one knee and deliberately aiming at the captive native, fired upon and killed him. The accused did not report the arrest of this native, nor his actions, to any officer in authority, but proceeded to act on his own individual responsibility.

The court finds in this unlawful killing and unprovoked murder a mitigating circumstance in the extraordinarily lax condition of discipline prevalent in the organization of scouts of which the accused was a member, as shown in evidence, and awards a penalty short of that appropriate as full measure of punishment for the crime committed. Corrective measures have been applied to the lax condition of discipline, to which the court adverts in its sentence, and which is reprehended by the reviewing authority. The sentence, though deemed inadequate, is approved and will be duly executed. Bilibid military prison, Manila, P. I., is designated as the place of confinement, to which place the prisoner will be sent under proper guard. The proper commanding officer will be guided in making the transfer by paragraphs 11 (amended by G. O., No. 112, A. G. O., 1899) and 912, A. R., 1895.

By command of Brigadier-General Wheaton:

BENJ. ALFORD,
Assistant Adjutant-General.

GENERAL ORDERS, } HEADQUARTERS DEPARTMENT OF SOUTHERN LUZON,
No. 14. } *Manila, P. I., February 5, 1901.*

Before a general court-martial which convened at Guinobatan, Albay Province, Luzon, P. I., pursuant to paragraph 1, Special Orders, No. 191, Headquarters Department of Southern Luzon, Manila, P. I., October 23, 1900, and of which Maj. W. C. Forbush, Ninth U. S. Cavalry, was president, and First Lieut. K. W. Walker, Ninth U. S. Cavalry, was judge-advocate, was arraigned and tried:

Private William Victor, Troop H, Ninth U. S. Cavalry.

CHARGE.—“Conduct to the prejudice of good order and military discipline.”

Specification 1.—“In that he, Private William Victor, Troop H, Ninth U. S. Cavalry, did, in company with Private Jeff Grigsby, Troop H, Ninth U. S. Cavalry, go to the house of a Filipino, one Romueldo Catolo, situated about two miles from Guinobatan, more or less, and near the road leading toward Ligao, P. I., and did enter said house without authority or permission, and did then and therein intimidate the inmates, three native women, more or less, among whom were one Sebastiana Camacho, aged sixteen, and did seize by force the said Sebastiana Camacho, and did throw her upon a bed, and did lift up her clothing, and did ravish the said Sebastiana Camacho, or did attempt to do so, all this against the will and desires of the said Sebastiana Camacho, native.”

This as above described on or about the 10th day of January, 1901.

Specification 2.—“In this that he, Private William Victor, Troop H, Ninth U. S. Cavalry, did enter upon the premises of one Romueldo Catolo, native, and did then and there place a rope around the said Catolo's neck, and did fire his revolver at said Catolo, with the evident intent of intimidating the said Catolo.”

His at or near Guinobatan, P. I., on or about January 10, 1901.”

PLEAS.

To the first specification: “Not guilty.”

To the second specification: “Not guilty.”

To the charge: “Not guilty.”

FINDINGS.

To the first specification: “Guilty.”

To the second specification: “Guilty, except the words ‘his revolver’ and ‘the said Catolo,’ inserting for the latter words ‘a native,’ and of the excepted words not guilty, and of the inserted words guilty.”

To the charge: “Guilty.”

SENTENCE.

And the court does therefore sentence him, Private William Victor, Troop H, Ninth U. S. Cavalry, “To be dishonorably discharged the service of the United States, forfeiting all pay and allowances due or to become due, and to be confined at Bilibid, under charge of the guard, at such place as the reviewing authority may direct, for twenty years.”

In the foregoing case of Private William Victor, Troop H, Ninth U. S. Cavalry, a considerable amount of hearsay evidence was admitted which should have been excluded.

The charge should have been laid under the fifty-eighth instead of the sixty-second article of war; but as the crime of rape under the Spanish law is not and has not been a capital offense in these islands, it is believed that a trial for this crime under the sixty-second article of war is legal.

The first specification is laid in the alternative, which is always an objectionable form of specifying the details of an offense or crime; but inasmuch as the evidence clearly warrants a conviction of the greater offense mentioned therein, and inasmuch as the sentence imposed by the court would not be considered an excessive punishment for a conviction of the lesser offense mentioned therein, the proceedings and findings, subject to the above remarks, are approved.

The sentence is approved and will be duly executed.

Bilibid Prison, Manila, P. I., is designated as the place of confinement, to which place the prisoner will be sent, under proper guard, by his commanding officer.

By command of Major-General Bates:

ARTHUR L. WAGNER,
Assistant Adjutant-General.

GENERAL ORDERS, }
No. 63.

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., August 8, 1900.

Before a general court-martial which convened at Camp Stotsenberg, P. I., pursuant to paragraph 6, Special Orders, No. 52, Headquarters Division of the Philippines, June 4, 1900, and of which Col. Albert S. Cummins, Twenty-seventh Infantry, U. S. Volunteers, was president, and first Lieut. Joseph R. McAndrews, Forty-second Infantry, U. S. Volunteers, was judge-advocate, was arraigned and tried:

Capt. George W. Brandle, Twenty-seventh Infantry, U. S. Volunteers.

CHARGE.—“Conduct to the prejudice of good order and military discipline, in violation of the sixty-second article of war.”

Specification 1.—“In that Capt. George W. Brandle, Twenty-seventh Infantry, U. S. Volunteers, in the morning of the 26th day of May, 1900, was commanding officer of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Jose de la Cruz, a native and prisoner, under the custody of the said Captain Brandle, and entitled to protection as such prisoner, in that he, the said Captain Brandle, did, unlawfully, willfully, and cruelly command, direct, and cause the said Jose de la Cruz to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Cruz wounds and causing the said Cruz to suffer great bodily pain.”

This in the presence of enlisted men and natives at the time and place above specified.

Specification 2.—“In that Capt. George W. Brandle, Twenty-seventh Infantry, United States Volunteers, in the morning of the 26th day of May, 1900, was commanding officer of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Apolonio de Leon, a native and prisoner, under the custody of the said Captain Brandle, and entitled to protection as such prisoner, in that he, the said Captain Brandle, did, unlawfully, willfully, and cruelly command, direct, and cause the said Apolonio de Leon to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Leon wounds and causing the said Leon to suffer great bodily pain.”

This in the presence of enlisted men and natives at the time and place above specified.

PLEAS.

To the first specification: “Not guilty.”

To the second specification: “Not guilty.”

To the charge: “Not guilty.”

FINDINGS.

Of the first specification: “Guilty except the word ‘torture,’ substituting therefor the words ‘inflict mental anguish upon;’ and except the words ‘willfully and cruelly;’ and except the words ‘inflicting upon the said Cruz wounds and causing the said Cruz to suffer great bodily pain,’ substituting for these last excepted words the words ‘causing the said Cruz mental anguish;’ of the excepted words not guilty; of the substituted words guilty.”

Of the second specification: “Guilty, except the word ‘torture,’ substituting therefor the words ‘inflict mental anguish upon;’ and except the words ‘willfully and cruelly;’ and except the words ‘inflicting upon the said Leon wounds and causing

he said Leon to suffer great bodily pain,' substituting for these last excepted words the words 'causing the said Leon mental anguish;' of the excepted words not guilty; the substituted words guilty."

Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Capt. George W. Brandle, Twenty-seventh Infantry, U. S. Volunteers, "to be reprimanded by the reviewing authority."

Before a general court-martial which convened at Camp Stotsenberg, P. I., pursuant to paragraph 6, Special Orders, No. 52, Headquarters Division of the Philippines, June 4, 1900, and of which Col. Albert S. Cummins, Twenty-seventh Infantry, U. S. Volunteers, was president, and First Lieut. Joseph R. McAndrews, Forty-second Infantry, U. S. Volunteers, was judge-advocate, was arraigned and tried—Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers.

CHARGE.—"Conduct to the prejudice of good order and military discipline in violation of the sixty-second article of war."

Specification 1.—"In that Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers, in the afternoon of the 26th day of May, 1900, was temporarily in command of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Bonifacio Martin, a native and prisoner under the custody of the said Lieutenant Perkins, and entitled to protection as such prisoner, in that he, the said Lieutenant Perkins, did, unlawfully, willfully, and cruelly, command, direct, and cause the said Bonifacio Martin to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Martin wounds and causing the said Martin to suffer great bodily pain."

This in the presence of enlisted men and natives at the time and place above specified.

Specification 2.—"In that Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers, in the afternoon of the 26th day of May, 1900, was temporarily in command of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Andre Bautista, a native and prisoner, under the custody of the said Lieutenant Perkins and entitled to protection as such prisoner, in that he, the said Lieutenant Perkins, did, unlawfully, willfully, and cruelly, command, direct, and cause the said Andre Bautista to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Bautista wounds and causing the said Bautista to suffer great bodily pain."

This in the presence of enlisted men and natives at the time and place above specified.

Specification 3.—"In that Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers, in the afternoon of the 26th day of May, 1900, was temporarily in command of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Simeon Maninill, a native and prisoner, under the custody of the said Lieutenant Perkins, and entitled to protection as such prisoner, in that he, the said Lieutenant Perkins, did unlawfully, willfully, and cruelly command, direct, and cause the said Simeon Maninill to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Maninill wounds and causing the said Maninill to suffer great bodily pain."

This in the presence of enlisted men and natives at the time and place above specified.

Specification 4.—"In that Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers, in the afternoon of the 26th day of May, 1900, was temporarily in command of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Agaton Grande, a native and prisoner, under the custody of the said Lieutenant Perkins, and entitled to protection as such prisoner, in that he, the said Lieutenant Perkins, did unlawfully, willfully, and cruelly command, direct, and cause the said Agaton Grande to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Grande wounds and causing the said Grande to suffer great bodily pain."

This in the presence of enlisted men and natives at the time and place above specified.

Specification 5.—"In that Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers, in the afternoon of the 26th day of May, 1900, was temporarily in command of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Pavian de los Santos, a native and prisoner, under the custody of the said Lieutenant Perkins, and entitled to protection as such prisoner, in that he, the said Lieutenant Perkins, did unlawfully, willfully, and cruelly command, cause, and direct the said Pavian de los Santos to be

hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Santos wounds and causing the said Santos to suffer great bodily pain."

This in the presence of enlisted men and natives at the time and place above specified.

Specification 6.—"In that Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, U. S. Volunteers, in the afternoon of the 26th day of May, 1900, was temporarily in command of the United States forces at Mariquina, Luzon, P. I., and while so in command did then and there torture one Placido de Leon, a native and prisoner, under the custody of the said Lieutenant Perkins, and entitled to protection as such prisoner, in that he, the said Lieutenant Perkins, did unlawfully, willfully, and cruelly command, direct, and cause the said Placido de Leon to be hung by the neck with a rope for a period of about ten seconds, more or less, thus inflicting upon the said Leon wounds and causing the said Leon to suffer great bodily pain."

This in the presence of enlisted men and natives at the time and place above specified.

PLEAS.

To the first specification: "Not guilty."
 To the second specification: "Not guilty."
 To the third specification: "Not guilty."
 To the fourth specification: "Not guilty."
 To the fifth specification: "Not guilty."
 To the sixth specification: "Not guilty."
 To the charge: "Not guilty."

FINDINGS.

Of the first specification: "Guilty, with the exception of the word 'torture' and substituting therefor the words 'inflict mental anguish upon,' and also with the exception of the words 'willfully and cruelly,' and with the exception of the words 'inflicting upon the said Martin wounds and causing the said Martin to suffer great bodily pain,' substituting for these last excepted words 'causing the said Martin mental anguish;' of the excepted words, not guilty, of the substituted words, guilty."

Of the second specification: "Not guilty."

Of the third specification: "Not guilty."

Of the fourth specification: "Not guilty."

Of the fifth specification: "Not guilty."

Of the sixth specification: "Guilty, with the exception of the word 'torture' and substituting therefor the words 'inflict mental anguish upon,' and also with the exception of the words 'willfully and cruelly,' and with the exception of the words 'inflicting upon the said Leon wounds and causing the said Leon to suffer great bodily pain,' substituting for these last excepted words 'causing the said Leon mental anguish;' of the excepted words, not guilty, of the substituted words, guilty."

Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, United States Volunteers, "to be reprimanded by the reviewing authority."

In the foregoing cases of Capt. George W. Brandle and Second Lieut. Alvin S. Perkins, Twenty-seventh Infantry, United States Volunteers, the findings and sentences are approved with the remark that the reviewing authority is of the opinion that in the case of the former a finding of guilty on each of the specifications as laid without the exceptions and substitutions made by the court would have been in full accord with the evidence of record, and in the case of the latter a finding of guilty on each of the specifications would have been warranted by the evidence with only a formal modification in the second, third, fourth, and fifth specifications to the effect that the real names of the natives therein referred to were unknown to the court, and without the exceptions and substitutions made by the court.

It is obvious that a cruel and illegal assault was perpetrated by these accused officers upon certain native prisoners; an assault not only criminal in itself under the laws of war, but in remote consequences well calculated to defeat a carefully considered policy and to inflict permanent injury upon essential interests of the nation. The purpose of the United States in these islands is to introduce and plant

blican institutions, based upon the beneficent principles of the Constitution. In this great and inspiring undertaking depends largely upon securing, through a sense of self-interest and gratitude, the confidence and attachment of the Filipino people. It is therefore indispensable to the true interests of the Republic that Americans in the archipelago, especially officers of the Army, shall in all transactions of business, war, and administration maintain the highest standards of American civilization by practicing dignity and decorum in all intercourse with the natives.

In order to emphasize an important principle it is necessary to severely censure all conduct that is contrary to it. This is more especially true when the vital interests of a great nation are jeopardized by the thoughtless and illegal actions of these accused officers while for the time being were exercising its authority.

It is believed that the sentence of the court will be sufficiently executed by reminding Captain Brandle and Lieutenant Perkins that by reckless defiance of the ethics of their profession they have inflicted incalculable injury upon the interests of their country, and have also cast an unwarranted aspersion upon the reputation of the United States Army for sentiments of honor and humanity.

Captain Brandle and Lieutenant Perkins will be released from arrest and returned to their command.

By command of Major-General MacArthur:

M. BARBER,
Assistant Adjutant-General.

GENERAL ORDERS, }
No. 240. }

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., August 29, 1901.

Wherefore a military commission which convened at Angeles, Pampanga, Luzon, P. I., pursuant to paragraph 8, Special Orders, No. 126, Headquarters Department of North Luzon, May 8, 1901, and of which Capt. Augustus C. Macomb, Fifth U. S. Cavalry, was president, and Capt. George H. Cameron, adjutant Fourth U. S. Cavalry, judge-advocate, was arraigned and tried:

George A. Raymond, a civilian.

ARTICLE I.—"Robbery."

Allegation.—"In that George A. Raymond, an American, formerly a private of the Forty-first Infantry, United States Volunteers, and formerly a member of the organization known as Burr's Scouts, impersonating an officer of the United States Army, in company with Ulrich F. Rodgers and George L. Muhn, also Americans and formerly privates of the Forty-first Infantry, United States Volunteers, the party armed with one carbine and two revolvers, did feloniously and forcibly enter the house of Don Jose de Jesus, a native residing in the barrio of Manibaug, between Angeles and Angeles, Pampanga Province, P. I., and having removed therefrom two saddles and bridles, value unknown, did, thereupon, remove from the premises of the said Don Jose de Jesus three native horses valued at 400 pesos more or less, property of the said de Jesus, and did appropriate the said saddles, bridles, and horses to his own use and that of his two companions."

This between the hours of 10 p. m. May 8, and 2 a. m. May 9, 1901, at a time then, as now, of insurrection against the lawful authority of the United States, at the place above specified, in territory then, as now, occupied by United States troops."

ARTICLE II.—"Rape."

Allegation.—"In that George A. Raymond, an American, formerly a private of the Forty-first Infantry, U. S. Volunteers, and formerly a member of the organization known as Burr's Scouts, did criminally and brutally assault Roberta Rivera, a stable native girl, residing in the barrio of Amsic, near Angeles, Pampanga Province, P. I., and by force and violence and against her will, did ravish and carnally know the said Roberta Rivera."

This between the hours of 2 and 5 a. m. May 9, 1901, at a time then, as now, of insurrection against the lawful authority of the United States, at the place above specified, in territory then, as now, occupied by United States troops."

ARTICLE III.—"Murder."

Allegation.—"In that George A. Raymond, an American, formerly a private of the Forty-first Infantry, U. S. Volunteers, and formerly a member of the organization known as Burr's Scouts, at a point about two miles west of the barrio of San Jose, Florida Blanca, Pampanga Province, P. I., did willfully, feloniously, and with premeditation and forethought, and for the purpose of robbery, kill and murder an American named Henry Bohn, formerly a private of the Forty-first Infantry, U. S. Volunteers,

by shooting the said Bohn with a revolver, thereby inflicting wounds from which he, the said Bohn, then and there died.

"This between the hours of 10 a. m. and 2 p. m., May 7, 1901, at a time then, as now, of insurrection against the lawful authority of the United States, at the place above specified, in territory then, as now, occupied by United States troops."

Plea: "Not guilty."

Finding: "Guilty."

SENTENCE.

And the commission does therefore sentence him, the said George A. Raymond, "To be hung by the neck until he is dead, at such time and place as the reviewing authority may direct, two-thirds of the members concurring therein."

In the foregoing case it appears that this accused, George A. Raymond, formerly a private in the Forty-first Infantry, U. S. Volunteers, after muster out repaired to the province of Pampanga, where, collecting around him a few of his ex-comrades, he sought to organize a band of outlaws. In pursuance of this plan, on May 9, 1901, at the barrio of Manabaug, near Angeles, in company of two of his band, armed with revolvers and a rifle, and he himself in the uniform of a United States army officer, robbed a peaceful inhabitant, Jose de Jesus, of two saddles and bridles and three horses. On May 9, 1901, in the nighttime, he forced his way into the house and bedroom of a respectable native girl at Amsic, and raped and ravished her, and on May 7, 1901, near Florida Blanca, Pampanga, while riding in an assumed friendly relation with an ex-comrade, Henry Bohn, he cruelly and treacherously shot him to death for the purpose of robbing him of his final pay as a soldier.

The depravity and dangerous criminal propensities of accused, involving in the short space of three days, the robbery of a helpless native, the licentious violation of a respectable girl, and the treacherous assassination of a comrade from motives of pure avariciousness, can call but for one fitting penalty.

The sentence, approved by the department commander, is confirmed and will be duly executed at the pueblo of Angeles, province of Pampanga, Luzon, P. I., on the 27th day of September, A. D. 1901, under the direction of the commanding general, Department of Northern Luzon.

By command of Major-General Chaffee:

W. P. HALL,
Assistant Adjutant-General.

GENERAL ORDERS, }
No. 239. }

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., August 24, 1901.

Before a military commission which convened at Manila, P. I., pursuant to paragraph 8, Special Orders, No. 170, Headquarters Department of Southern Luzon, June 19, 1901, and of which Lieut. Col. Allen Smith, First U. S. Cavalry, was president and Capt. Palmer E. Pierce, Thirteenth U. S. Infantry, was judge-advocate, was arraigned and tried:

Harry Cline, civilian.

CHARGE I.—"Murder."

Specification.—"In that he, Harry Cline, at or near Paranaque, Luzon, P. I., a place then, as now, under the military government of the United States, on or about the 8th day of April, 1901, a time then, as now, of insurrection against the United States, did willfully, feloniously, and with malice aforethought, kill and murder one Agaton Rivera, alias Agaton Lipera, a native, by striking and shooting him, the said Agaton Rivera, alias Agaton Lipera, with a revolver, then and there had and held in the hand of him, the said Cline, inflicting wounds therewith upon the person of the said Agaton Rivera, alias Agaton Lipera, whereof he, the said Agaton Rivera, alias Agaton Lipera, then and there died."

CHARGE II.—"Assault with intent to kill."

Specification 1.—"In that he, Harry Cline, at or near Paranaque, Luzon, P. I., a place then, as now, under the military government of the United States, on or about the 8th day of April, 1901, a time then, as now, of insurrection against the United States, did make an assault on and shoot one Quintin Pili, with a dangerous weapon, to wit, a revolver, then and there had and held in the hand of the said Cline, inflicting grievous wounds therewith upon the person of the said Pili, with intent then and there willfully, feloniously, and with malice aforethought to kill and murder him, the said Quintin Pili."

Specification 2.—"In that he, Harry Cline, at or near Paranaque, Luzon, P. I., a

place then, as now, under the military government of the United States, on or about the 8th day of April, 1901, a time then, as now, of insurrection against the United States, did make an assault on and shoot one Santiago Lafuente, a native, with a dangerous weapon, to wit, a revolver, then and there had and held in the hand of the said Cline, inflicting grievous wounds therewith upon the person of the said Santiago Lafuente, with intent then and there willfully, feloniously, and with malice aforethought to kill and murder him, the said Santiago Lafuente.

Specification 3.—"In that he, Harry Cline, at or near Paranaque, Luzon, P. I., a place then, as now, under the military government of the United States, on or about the 8th day of April, 1901, a time then, as now, of insurrection against the United States, did make an assault and shoot one Rufino Lopeña, a native, with a dangerous weapon, to wit, a revolver, then and there had and held in the hand of the said Cline, inflicting grievous wounds therewith upon the person of the said Rufino Lopeña, with intent then and there willfully, feloniously, and with malice aforethought to kill and murder him, the said Rufino Lopeña.

Plea: "Not guilty."

Finding: "Guilty."

SENTENCE.

And the commission does therefore sentence him, Harry Cline, "to be hanged by the neck until dead at such time and place as the reviewing authority may direct, two-thirds of the commission concurring therein."

In the foregoing case, it appears that the accused, Harry Cline, was employed as a teamster by the quartermaster's department of the United States Army, and stationed at Paranaque, P. I.; that on or about April 8, 1901, he rode out into the country some 3 miles, on a bicycle, where he saw four small native boys gathering grass. With no other apparent motive than natural depravity, he proceeded to shoot these boys with his revolver, severely wounding three and killing the fourth.

The sentence, approved by the department commander, is confirmed, and will be duly executed at the city of Manila, P. I. on the 20th day of September, A. D. 1901, under the direction of the commanding officer, post of Manila.

By command of Major-General Chaffee:

W. P. HALL,
Assistant Adjutant-General.

GENERAL ORDERS, }
No. 9.

HEADQUARTERS PROVOST-MARSHAL-GENERAL,
SEPARATE BRIGADE, PROVOST GUARD,
Manila, P. I., April 25, 1900.

Before a general court-martial which convened at the Cuartel de España, Manila, P. I., pursuant to paragraph 3, Special Orders, No. 39, c. s., these headquarters, and of which Capt. Charles W. Hobbs, Third United States Artillery, was president, and First Lieut. Bertram C. Gilbert, Sixth United States Artillery, was judge-advocate, was arraigned and tried—

Musician Julius Arnold, Company M, Twenty-fifth United States Infantry.

CHARGE.—"Murder, in violation of the fifty-eighth article of war."

Specification.—"In that Musician Julius Arnold, of Company M, Twenty-fifth U. S. Infantry, did, in time of insurrection, willfully, feloniously, and with malice aforethought murder and kill Leonora Salas, a native woman of Magalang, island of Luzon, by shooting her with a pistol, loaded with powder and ball, thereby inflicting a mortal wound on the body of said Leonora Salas, from the effects of which the said Leonora Salas died.

"This at Magalang, on or about the 15th day of January, 1900."

PLEA.

To the charge and specification: "Not guilty."

FINDING.

Of the charge and specification: "Guilty."

And the court does therefore sentence him, Musician Julius Arnold, Company M, Twenty-fifth U. S. Infantry, "to be dishonorably discharged the service of the United States, forfeiting all pay and allowances due him, and to be confined at hard labor, at such penitentiary as the reviewing authority may direct, for the remainder of his natural life."

The proceedings and findings in the foregoing case of Musician Julius Arnold, Company M, Twenty-fifth U. S. Infantry, are approved.

The evidence set forth in the record shows that the accused murdered and killed a native woman, at Magalang, P. I., January 15, 1900. The testimony fails to show any just excuse for his action, or anything that would serve as a basis for mitigation, although during the trial he was defended by able counsel. The murdered woman was a virtuous married woman, and after offering her the grossest insult that a man can offer a chaste woman, he killed her, and by his vile act left a nursing infant motherless, when his plain duty, as shown by the honorable uniform he wore, required him to protect his victim. In the opinion of the reviewing authority the sentence should have been "death," and the court manifested undeserved leniency. Subject to the above remarks, the sentence is approved and will be duly executed.

The Bilibid military prison, Manila, P. I., is designed as the place of confinement, to which place the prisoner will be sent under suitable guard.

By order of Colonel Williston, provost-marshal-general:

CHARLES T. MENOHER,
First Lieutenant, Sixth U. S. Artillery, Acting Adjutant-General.

GENERAL ORDERS, }
No. 15. }

HEADQUARTERS DEPARTMENT OF SOUTHERN LUZON,
Manila, P. I., May 18, 1900.

Before a general court-martial which convened at Tayabas, province of Tayabas, Luzon, pursuant to Special Orders, No. 6, Headquarters Department of Southern Luzon, Manila, P. I., April 15, 1900, and of which Maj. L. A. Lovering, Thirtieth Infantry, U. S. Volunteers, was president, and Capt. A. L. Parmerter, Twenty-first U. S. Infantry, was judge-advocate, was arraigned and tried—

Second Lieut. Francis J. Ellison, Thirtieth Infantry, U. S. Volunteers.

CHARGE I.—"Conduct to the prejudice of good order and military discipline, in violation of the sixty-second article of war."

Specification.—"In that Second Lieut. Francis J. Ellison, Thirtieth Infantry, U. S. V., while in command of a detail duly ordered to procure fresh meat for the use of the garrison at Atimonan, Tayabas, island of Luzon, did enter a house and houses, and did permit and encourage enlisted men of his detail to enter a house and houses, along the route taken by said detail and from which the occupants had fled, and did take and permit to be taken therefrom divers articles of use and value, to wit: One silver watch, 2 hypodermic syringes, 1 diamond glass cutter, 1 bugle in leather case, 1 lot of clothing, 3 canes with silver heads, 1 box canned goods, 2 bottles wine, 2 bottles rum, 1 double barrel of shot gun, 1 parasol, and 1 lot of coins.

"This at or near Atimonan, Tayabas, island of Luzon, on the 4th day of February, 1900."

CHARGE II.—"Conduct unbecoming an officer and gentleman, in violation of the sixty-first article of war."

Specification.—"In that Second Lieut. Francis J. Ellison, Thirtieth Infantry, U. S. V., while in command of a detail duly ordered for the purpose of procuring fresh meat for the use of the garrison at Atimonan, Tayabas, island of Luzon, did take and receive from enlisted men of said detail, and appropriate for his own use and benefit, certain articles of value and use, to wit, two hypodermic syringes, 1 diamond glass cutter, 1 bugle with case, 3 canes with silver heads, 1 box canned goods, 2 bottles wine, 2 bottles rum, 1 double-barreled shotgun, well knowing that said articles were obtained by said men by looting houses along the route taken by said detail, and from which the native occupants had fled.

"This at or near Atimonan, Tayabas, Luzon, on the 4th day of February, 1900."

PLEA.

Charge I.

To the specification, "Guilty of all, as far as the words 'and did take and permit to be taken therefrom,' except to the words 'fresh meat,' substituting therefor the word 'rations,' and the word 'encourage,' substituting therefor the word 'direct,' of the excepted words not guilty, and of the substituted words guilty, and of the remainder of the specification not guilty."

To the charge: "Not guilty."

Charge II.

To the specification, "Not guilty."
To the charge, "Not guilty."

FINDING.

Charge I.

Of the specification, "Guilty, except the words 'one silver watch,' 'two hypodermic syringes,' 'one diamond glass cutter,' 'one parasol,' 'double,' and one lot of coins,' and of the excepted words not guilty."

Of the charge, "Guilty."

Charge II.

Of the specification: "Not guilty."
Of the charge: "Not guilty."

SENTENCE.

And the court does therefore sentence him, Second Lieut. Francis J. Ellison, Thirtieth Infantry, United States Volunteers, "to be reprimanded in orders by the reviewing authority."

In the foregoing case of Second Lieut. Francis J. Ellison, Thirtieth Infantry, United States Volunteers, the proceedings, findings, and sentence are approved.

In executing the sentence of the court the reviewing authority deems it proper to remind Lieutenant Ellison that the offense of which he has been found guilty shows a marked lack of appreciation of his duties as an officer, by example and otherwise, in failing to prevent looting by soldiers under his command.

It is hoped that this officer, who is capable of better things, will bear in mind that the Army is here to protect, not despoil; that such acts can only tend to discredit a just cause, and that the Articles of War and orders repeatedly issued enjoin upon all officers to be scrupulously exact in repressing all abuses of this character.

Lieutenant Ellison will be released from arrest.

By command of Major-General Bates:

ARTHUR L. WAGNER,
Assistant Adjutant-General.

GENERAL ORDERS, }
No. 7.

HEADQUARTERS DEPARTMENT OF SOUTHERN LUZON,
Manila, P. I., April 20, 1900.

Before a general court-martial which convened at Silang, province of Cavite, Luzon, P. I., pursuant to paragraph 4, Special Orders, No. 83, Headquarters First Division, Eighth Army Corps, Manila, P. I., March 31, 1900, and of which Col. W. S. Schuyler, Forty-sixth Infantry, U. S. Volunteers, was president, and Capt. A. L. Parmerter, Twenty-first U. S. Infantry, was judge-advocate, was arraigned and tried:

Capt. Isiah H. Baker, Forty-sixth Infantry, U. S. Volunteers.

CHARGE I.—"Disobedience of orders, in violation of the 21st Article of War."

Specification 1.—"In that Capt. Isiah H. Baker, Forty-sixth Infantry, U. S. Volunteers, having received a lawful command from his superior officer, Maj. William H. Johnston, Forty-sixth Infantry, U. S. Volunteers, as follows:

"ORDERS, }
No. 18.

HEADQUARTERS SECOND BATTALION, FORTY-SIXTH INFANTRY,
Indan, P. I., March 1, 1900.

[Extract.]

"1. Capt. Isiah H. Baker, with Company E, Forty-sixth Infantry, three days' rations and 100 rounds of ammunition, will proceed to-morrow, March 2, in two detachments, to country east of Alfonso, and as far as Mendez Nunez, thoroughly searching all barriers and all woods for deposits of arms, reaching Alfonso for the night. On the 3d instant he will proceed to Caitatinga and search the country within 5 miles thereof. On the 5th instant he will return to station at Indan. Houses will be entered by commissioned officers only, and private property of all citizens respected.

"By order of Major Johnston:

"EDWARD E. PHILBROOK,
Forty-sixth Infantry."

did nevertheless willfully disobey said order by permitting and directing enlisted men of his company to enter and search houses in the city of Alfonso, province of Cavite, P. I.

"This in time of insurrection, while commanding his company in the field, March 2, 1900."

Specification 2.—"In that Capt. Isiah H. Baker, Forty-sixth Infantry, U. S. Volunteers, having received a lawful command from his superior officer, Maj. William H. Johnston, Forty-sixth Infantry, U. S. Volunteers, in words as follows:

"ORDERS, } HEADQUARTERS SECOND BATTALION, FORTY-SIXTH INFANTRY,
No. 18. } Indan, P. I., March 1, 1900.

[Extract.]

"1. Capt. Isiah H. Baker, with Company E, Forty-sixth Infantry, three days' rations, and 100 rounds of ammunition, will proceed to-morrow, March 2, in two detachments, to country east of Alfonso, and as far as Mendez Nunez, thoroughly searching all barrios and all woods for deposits of arms, reaching Alfonso for the night. On the 3d instant he will proceed to Caitatinga and search the country within 5 miles thereof. On the 5th instant he will return to station at Indan. Houses will be entered by commissioned officers only, and private property of all citizens respected.

* * * * *

"By order of Major Johnston:

"EDWARD E. PHILBROOK,
Forty-sixth Infantry."

did disobey said order by leaving the barrio of Alfonso, called Caitatinga, and going to a location other than Caitatinga in which to spend the remainder of the period of reconnoissance ordered.

"This in time of insurrection, while commanding his company in the field, at or near Caitatinga, province of Cavite, P. I., March 3, 1900."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification 1.—"In that Capt. Isiah H. Baker, Forty-sixth Infantry, U. S. Volunteers, notwithstanding the provisions of Orders, No. 6, Second Battalion, Forty-sixth Infantry, U. S. Volunteers, dated January 29, 1900, in part as follows:

"The senior officer with each detachment en route upon any road or stationed in any separate locality will arrest every enlisted man or litter bearer seen entering or leaving a native's house, whether such house be occupied or not. Any man caught looting private property may be shot if necessary to resort to such expedient to arrest him.

"It is the duty of every officer or soldier to report looting by any other officer or soldier of whatever command. Enlisted men caught with looted property or in private houses will receive the same corporal chastisement awarded Chinese litter bearers in this battalion."

* * * * *

in contempt of such prohibition and in further contempt of the provisions of Orders No. 18, headquarters second battalion, Forty-sixth Infantry, U. S. Volunteers, Indan, P. I., March 1, 1900, directing reconnoissance by his company, and prescribing that

"Houses will be entered by commissioned officers only, and private property of all citizens respected," did, nevertheless, on entering the city of Alfonso, province of Cavite, P. I., permit and direct various enlisted men to enter the houses of the natives.

"This in time of insurrection, while commanding his company in the field, March 2, 1900."

Specification 2.—"In that Capt. Isaiah H. Baker, Forty-sixth Infantry, U. S. Volunteers, did, through neglect of all cautions and orders existing in his battalion, permit and did enable enlisted men of his command to loot the houses of peaceable natives, residents of Alfonso, province of Cavite, by which was stolen, as alleged, from said peaceable natives personal property valued at \$40, Mexican currency, more or less.

"This when his company was detached, under his command, on reconnoissance from Indan to Alfonso in time of insurrection, on March 2, 1900."

PLEA.

Charge I.

To specification 1: "Not guilty."

To specification 2: "Not guilty."

To the charge: "Not guilty."

Charge II.

To specification 1: "Not guilty."
 To specification 2: "Not guilty."
 To the charge: "Not guilty."

FINDING.

Charge I.

Of specification 1: "Guilty, except the word 'willfully,' and of the accepted word, not guilty."
 Of specification 2: "Not guilty."
 Of the charge: "Guilty."

Charge II.

Of specification 1: "Guilty, except the words 'of Orders No. 6, Second Battalion, Forty-sixth Infantry, U. S. Volunteers, dated January 29, 1900, in part as follows:
 "The senior officer with each detachment en route upon any road, or stationed in any separate locality, will arrest every enlisted man or litter bearer seen entering or leaving a native's house, whether such house be occupied or not. Any man caught taking private property may be shot if necessary to resort to such expedient to arrest him. It is the duty of every officer or soldier to report looting by any other officer or soldier of whatever command. Enlisted men caught with looted property or in private houses will receive the same corporal chastisement now awarded Chinese litter bearers in this battalion."
 * * * * *

"In contempt of such prohibition, and in further contempt of the provisions,' and of the excepted words, not guilty."
 Of specification 2: "Not guilty."
 Of the charge: "Guilty."

SENTENCE.

And the court does therefore sentence him, Capt. Isiah H. Baker, Forty-sixth Infantry, U. S. Volunteers, "To be reprimanded by his regimental commander."

In the foregoing case of Capt. Isiah Baker, Forty-sixth Infantry, U. S. Volunteers, after carefully considering the pertinent testimony and the conclusions of the court, the following are the views of the reviewing authority thereon:

The orders as set forth in evidence appear to have been eminently proper ones, and the necessity for their enforcement fully recognized by the battalion commander who issued them. Though the investigation covers a wide range, nothing appears of record of a substantial character to excuse an officer from taking all necessary precautions to prevent abuses of every kind, and thus fully comply with the spirit of orders on the subject.

Whatever may have been the previous interpretation by the accused officer of Orders No. 6, of January 29, 1900, prohibiting enlisted men from entering houses, that prohibition was in effect specifically renewed and emphasized by a clause in the identical Order No. 18, of March 1, 1900; and the action of the court in excepting Orders No. 6, from its finding of guilty under the first specification of the second charge is therefore disapproved.

If an exigency arises requiring that houses be entered and searched, positive precautionary orders should be given on the spot, and the duty carefully conducted and rigidly supervised by proper authority to prevent looting and other abuses; and upon complaint or other evidence of neglect or disobedience, prompt action should be taken to insure just reparation to the injured party, and bring the guilty to punishment.

In this case it appears that no such positive warning was given to the men before entering the town of Alfonso, and the omission, in the face of a renewed order, to take some extra precaution of this kind manifestly resulted in one or more houses of peaceable natives being looted, and absolute failure to detect and punish the guilty. The unqualified finding of not guilty of the second specification of the second charge is therefore disapproved.

Subject to the foregoing remarks and exceptions, the proceedings and findings are approved.

The action of the court in sentencing the accused to be reprimanded by his regimental commander is irregular and unauthorized, and the sentence is disapproved.

Captain Baker will be released from arrest.

By command of Major-General Bates:

W. D. BEACH,

Major and Inspector-General, U. S. Volunteers, in Charge of Office.

Memorandum in regard to trials of soldiers by general courts-martial for cruelty against Filipinos, January 1 to March 15, 1902.

Name.	Offense and date of its commission.	Sentence.	Remarks.
John Williams, private, A, Twenty-fourth Infantry.	Entering house of a native and making an assault on a woman, by biting her hand, at Romales, P. I., Dec. 1, 1901.	6 months	Finding of assault disapproved and sentence commuted to a fine of \$2 (absence without leave).
James Bleasdale, private, E, Twenty-fifth Infantry.	Assaulting a native by striking him with a rifle, cutting him about the head, etc., at Santa Cruz, P. I., Oct. 11, 1901.	3 years	Mitigated to six months' confinement and forfeiture of all pay to date of discharge.
Harry F. Mullen, private, Troop M, Ninth Cavalry.	Entering house of native, assaulting a merchant with his fist, threatening and scaring occupants, and raping a native woman, at Legaspi, P. I., Nov. 15, 1901.	6 years	Sentence approved, but declared to be inadequate.
Basilio Mananala, musician, Second Company, Native Infantry (Marabou).	Forcibly taking from natives, 12 in number, the sum of \$25, Mexican money, at Aplaya, P. I., Dec. 23, 1901.	3 years	
Henry Croxton, private, Company L, Twenty-fifth Infantry.	Making indecent proposals to a native woman, and shouting and killing a native man who came to her assistance, at San Marcelino, P. I., Nov. 18, 1901.	3 months and \$30.	Finding of not guilty of murder disapproved.
Alonso W. Dill, private, Company G, Fifth Infantry.	Assaulting and killing a native by striking him on the head with a bolo, at Noguillon, P. I., Nov. 2, 1901.	20 months	
Charles Bates, private, Company G, Fifth Infantry.	Manlaughter, in killing a native, at Noguillon, P. I., Nov. 2, 1901.	12 months and 1 day.	
Lee Harrison, private, Troop E, Ninth Cavalry.	Robbed one native and attempted to rob another on the highway near Camalig, P. I., on Dec. 9, 1901.	2 months	
William Turner, private, Troop C, Ninth Cavalry.	Entering, in company with two other soldiers (Frank Jackson and George Washington), the house of a native and assaulting with sticks and wounding two natives and robbing the occupants of the house of 500 pesos, at Goa, P. I., on Jan. 1, 1902.	24 months	
George Washington, private, Troop C, Ninth Cavalry.	Entering, in company with two other soldiers (William Turner and Frank T. Jackson), the house of a native and assaulting with sticks and penknife two natives; of robbing the occupants of the house of 500 pesos; and of assaulting a native policeman with rocks and penknife, knocking him senseless, and of robbing him of his revolver, at Goa, P. I., on Jan. 1, 1902.	3 months	

WAR DEPARTMENT,
Washington, May 3, 1902.

MY DEAR SIR: I transmit herewith a copy of a letter from Governor Taft, together with 12 documents enumerated therein, which he desires placed in the hands of your committee.

With reference to document No. 4, accompanying Governor Taft's letter, I also annex a copy of a letter from the War Department, dated April 10, 1902, directing General Chaffee to place Capt. James A. Ryan on trial for improper conduct in obtaining evidence as stated in that document, if it should be substantiated.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,
Chairman Committee on the Philippines, United States Senate.

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, April 10, 1902.

COMMANDING GENERAL, DIVISION OF THE PHILIPPINES,
Manila, P. I.

SIR: I am directed by the Secretary of War to inclose for your information copy of report of William P. Rohde to the attorney-general of the Philippines, dated February 7, 1902, with special reference to the manner in which evidence was obtained by Capt. James Ryan, Fifteenth Cavalry, from prisoners at Jiminez, Mindanao, and instructions to ascertain whether the facts stated can be substantiated, and if so, to place Captain Ryan on trial.

Very respectfully,

GEO. ANDREWS,
Assistant Adjutant-General.

WASHINGTON, D. C., *April 24, 1902.*

SIR: ELIHU ROOT,
Secretary of War, Washington, D. C.

SIR: I beg herewith to inclose reports, documents, and other papers for transmission to the Senate committee, as follows:

First. A report of Brigadier-General Davis on Moro affairs, submitted to the commanding general and military governor in the Philippines and sent to the acting governor of the islands.

Second. Correspondence between the acting civil governor of the islands and General Chaffee in respect to certain trade restrictions in the island of Leyte, and the interference by the military authorities with the jurisdiction of the civil courts.

Third. A report or letter of Jose Serapio, governor of the province of Bulacan, complaining of the interference by the commanding officer of the post of Malabon with ordinary civil process of a justice of the peace, and the action and correspondence which took place thereafter and thereon.

Fourth. Correspondence in reference to the conduct of Captain Ryan in the town of Jiminez in the province of Misamis, including the report of the chief of the consular, and also a report of a special examiner of the central government in relation to the same.

Fifth. Telegraphic correspondence between the acting civil governor and the governor of Tayabas in respect to the insurrection in Tayabas.

Sixth. A communication from the governor of the province of Tayabas containing farewell address and an address in response by the president of the province of Tayabas.

Seventh. A letter from the treasurer of the province of Cebu giving an account of the election in that province.

Eighth. A political pamphlet in Tagalog distributed in Bataan Province before the election.

Ninth. Correspondence between the acting civil governor and Major-General Chaffee in respect to the withdrawal of troops from military posts in the islands, including letters of the chief of the Philippines constabulary, and a statement of troops abandoned by the military in the First Separate Brigade, Department of Mindanao, since January 1, 1902.

Tenth. Correspondence concerning the permission to allow importations free of duty by a Moro for the use of the Moros.

Eleventh. A petition from the three Filipino commissioners and other leading persons in respect to the issuing of an amnesty for all criminal acts committed during the Filipino-Spanish war.

Twelfth. A telegram received from President Albert, of the Federal party, concerning the amnesty.

This list of documents includes some which were in my possession, but not presented, when testifying before the committee in February, because some members of the committee have since expressed a wider view of the character of the papers to be filed by me than I then entertained.

Very respectfully, WM. H. TAFT, *Civil Governor.*

No. 1.

REPORT OF BRIGADIER-GENERAL DAVIS ON MORO AFFAIRS.

[Submitted by the commanding general and military governor in the Philippines.]

INDEX.

	Page.
Letter of the commanding general, Division of the Philippines, dated December 4, 1901, with indorsement of Hon. Dean C. Worcester, secretary of the interior.....	2121
Letter of the commanding general, Department of Mindanao and Jolo, dated October 24, 1901.....	2122
Agreement with the Sultan of Jolo, 1737.....	2130
Treaty of 1836 with the Sultan of Jolo.....	2131
Sultanship of Jolo: Act of incorporation in favor of a Spanish monarchy, April 30, 1851.....	2133
Articles of capitulation, peace, and submission to Spain of the Sultan and datus of Jolo, July 22, 1878.....	2136
Articles of capitulation of the Sultan of Bolayan and Kudaranga, Dato Utto, his wife, and all the other chiefs of Bolayan and Bacat, to her Majesty the Queen Regent, March 10, 1887	2138
Declaration of Jolo as an open port, 1876	2139
Bates's treaty	2139
Report of Maj. C. A. Williams, Seventeenth Infantry, in relation to Moro affairs in the third district, for the quarter ending September 30, 1901, and inclosures thereto.....	2142
Schools.....	2144
Improvements	2145
Letter from O. J. Sweet, lieutenant-colonel Twenty-first Infantry, to the chiefs of Ubian Islands and other islands, dated Jolo, July 2, 1901.....	2145
Letter from O. W. Sweet, lieutenant-colonel Twenty-first Infantry, to Dato Amirhussin, governor of Jolo, dated July 5, 1901.....	2146
Letter from the Sultana Inchy Jamela to Colonel Sweet, governor of Jolo.....	2146
Letter from Sultan of Hadji Jamalul Kiram to Colonel Sweet, July 7, 1901.....	2147
Letter from Sultan Hadji Mohamad Jamalul Kiram to Colonel Sweet, July 25, 1901	2148
Letter from J. M. Thompson, colonel Twenty-third Infantry, military governor, to Sultan of Jolo, dated August 3, 1901.....	2148
Letter from Dato Mohamad Amilhussin to the governor of Jolo.....	2149
Letter from Maj. C. A. Williams to the Sultan of Jolo, September 28, 1901.....	2149
Letter from Maj. C. A. Williams to Maharajah Sarapuddin, September 28, 1901.....	2150
Letter from Maj. C. A. Williams to Dato Mohamad Amilhussin, September 28, 1901.....	2150
Letter from Lieut. Arthur P. Watts, Twenty-third Infantry, to the adjutant at Jolo, dated July 7, 1901.....	2150
Cablegram from Colonel Sweet to Major Fountain, at Zamboanga, dated Jolo, July 7, 1901	2152
Cablegram from Major Fountain to Colonel Sweet, dated July 10, 1901....	2152
Letter from Major James, governor of Tiange, to the Sultan of Jolo, September 11.....	2153
Complaint of Hatib Ismailah, of Borneo, transmitted through the governor of British North Borneo.....	2154
Indorsement of the commanding officer, Bongao, P. I., on letter of complaint to Hatib Ismailah, of Borneo, which was referred to him for investigation and report	2154

Report of Maj. C. A. Williams, Seventeenth Infantry, etc.—Continued.	Page.
Letter from Sultan Hadji Mohamad Kiram to commanding officer, Tiange, Jolo, dated September 16, 1901.....	2155
Letter from Major James to the governor of British North Borneo, September 22, 1901	2155
Indorsement on letter from court of first instance, Jolo, in re charge of theft against a Moro living on the island of Pangutarang	2156
Letter from governor of Tiange to Sultan of Jolo, September 12, 1901	2157
Mohamad Kasim's complaint	2157
Letter from the Sultan Hadji Jamalul Kiram to the commanding officer, Tiange, Jolo, dated September 16, 1901	2157
Letter from Colonel Sweet, governor of Tiange, to the Sultan of Jolo, dated July 21, 1901.....	2158
Letter from the Sultan Hadji Mohamad Jamalul Kiram to Colonel Sweet, dated July 24, 1901	2159
Letter from commanding officer at Tiange to the Sultan of Jolo, dated September 8, 1901.....	2160
Letter from the Sultan Hadji Mohamad Jamalul Kiram to commanding officer, Tiange, Jolo, dated September 16, 1901.....	2160
Letter from W. H. Sage, adjutant, Twenty-third Infantry, to commanding officer, third district, Mindanao and Jolo, dated September 25, 1901.....	2160
Letter of Dato Mohamad Batazza, September 17, 1901, and indorsement of the commanding officer, fourth district, Mindanao and Jolo.....	2161
Cablegram signed "Febiger," protesting against the prohibition of licenses and imposing fines on persons gathering gutta-percha, dated Cottabato, October 19, 1901	2162
Telegram from commanding officer, Jolo, in reference to arms secured by Moros through foreign channels	2163

Letter of commanding general, Division of the Philippines, dated December 4, 1901, with indorsement of Hon. Dean C. Worcester, Secretary of the Interior.

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., December 4, 1901.

Hon. LUKE E. WRIGHT,

Vice Civil Governor of the Philippine Islands,

Manila, P. I.

GOVERNOR: I have the honor to transmit herewith a report, with inclosures, prepared by Brig. Gen. George W. Davis, United States Army, commanding the Seventh Separate Brigade, which includes all the Moro country, bearing on our relations with the Moro tribes.

The recommendations of General Davis have been submitted after careful study on the ground of the situation, and are well worthy of consideration.

It seems to me the most feasible plan in exercising control over the Moros would be to follow as closely as practicable the general rule of conduct that governed our administration of the North American Indians; and the less we interfere with the so-called rights and privileges of the individual Moro the better we will be able to control them as a whole. Ere long it will probably be necessary to impress upon the Sultan of Jolo the fact that he does not exercise the functions of independent sovereignty. At the same time the datos, or chief men of the various tribes and groups, each within the sphere of his own influence, exercises considerable power, and through them, I think, a practical solution of the Moro problem can be worked out.

Very respectfully,

ADNA R. CHAFFEE,

Major-General, U. S. Army,

Commanding the Division of the Philippines.

[First indorsement.]

OFFICE OF THE CIVIL GOVERNOR
OF THE PHILIPPINE ISLANDS,
Manila, P. I., December 5, 1901.

Respectfully referred, by direction of the acting civil governor, to the honorable the secretary of the interior, Manila, P. I.

A. W. FERGUSON,
Executive Secretary.

[Second indorsement.]

DEPARTMENT OF THE INTERIOR,
Manila, P. I., December 7, 1901.

Respectfully returned to the acting civil governor, contents noted. It would seem that this important report of General Davis should be submitted to the Commission for such action as it may deem desirable. The difficulties arising from the lack of a definite understanding with the Moros as to the relationship which is to exist between them and the insular government are manifold and tend to increase. The opinion of General Davis that the Sultan ought, at the earliest practicable time, to be reduced to the status of a datto, or at least that all pretensions on his part to sovereign rights ought to be quieted, is concurred in.

DEAN C. WORCESTER,
Secretary of the Interior.

Letter of the commanding general, Department of Mindanao and Jolo, dated October 24, 1901.

HDQRS. DEPARTMENT OF MINDANAO AND JOLO,
ADJUTANT-GENERAL'S OFFICE,
Zamboanga, P. I., October 24, 1901.

ADJUTANT-GENERAL DIVISION OF THE PHILIPPINES,
Manila, P. I.

SIR: The military situation in this department, and especially the aspect of it that is effected by our relations with the Moro tribes, seems to me to be deserving of some general observations, and the attention of the division commander is respectfully invited to this important subject. My personal knowledge is necessarily limited, but there are certain bald facts known to all and undisputed that seem to me to point to the need for the announcement of a definite policy in our intercourse with these Mohammedan Malays.

In 1578 Spain sent her first armed expedition against the Moro pirates, and during the three hundred and twenty years following hostilities of greater or less importance were in progress somewhere in the Moro country all the time, and everywhere throughout this vast region a part of the time.

The undersigned has not been able to ascertain what was the exact status of the Moro power in an international sense, until 1851. Then it was defined in a formal agreement, but it would seem that the Sultan of Jolo was regarded by Spain as a sovereign and independent ruler until he formally surrendered and submitted to Spain on the date last given above. Previously the war carried on seems to have had for

the suppression of piracy in the Jolo Archipelago, but Mindanao seems to have been regarded as a Spanish province from the first settlement, in 1632, by right of discovery in 1521.

In a hurried glance at the current histories of these islands I notice little contact between the Spanish authorities and the Joloanos; also no records of the latter to the former (those of 1851 and 1878). As to the Mindanao Moros, I find in print the record of the surrender of the Sultan of Mindanao and a large number of his dates in his only formal document signed by both parties, but there is no agreement or treaty.

As respects the status of affairs and intercourse between the United States and the Moros this appears to be set out to some extent in a document usually described as the "Bates Agreement." The signers of the document were Gen. John C. Bates, United States Volunteers, for the United States, and the Sultan of Jolo and several of his chiefs for the Moros. This was on August 14, 1899.

Under the terms of this document the agreement was not to be of force until it had been confirmed by the President of the United States. After from General Bates to the Sultan, dated April 4, 1900, the Sultan announced to his highness and the signatory dates that the United States had not approved the tenth article of the agreement respecting the Moros of Mindanao the American authorities have had no objection, nor does there exist any written or other agreement in force of which special rights and privileges can be obtained over and above those enjoyed by the native inhabitants generally. Appended are (translations) of all the treaties or agreements and capitulations entered into since 1899.

As far as I can judge from my brief opportunity for observation, the treatment of the Mindanao Moros and the pagan tribes is based on the general rules that have always governed our actions in intercourse with the Indian tribes on our Western frontiers. We recognize their rights to regulate their own interior tribal affairs according to their own rules and customs. We did not interfere with their religious and worship. If they wished to resolve a tribal contest by force we did not interpose or attempt to punish the Indians of one tribe for destroying the property or lives of their opponents. If they carried off to captivity the women and children of their victims, we did not in practice force restitution. The Indians paid no taxes, and individuals and bands passed and repassed our frontier with their goods, we ignored the transaction. Their ponies and peltries and manufactures they were permitted to sell to anyone who would buy and we charged no licenses or tax - municipal, State, or national. They were not asked or permitted to take part in any function of general or local government. We would never recognize as valid the claims of the Moros to lands which reservation or wild Indians might attempt to reserve.

The army has encountered in Mindanao aboriginal and nomadic tribes not materially different from those with which our troops have been familiar. There are many natives of the great island of Mindanao who, although grown to manhood, have never seen a white man. They are water nomads, so to speak, and not land nomads, but a region of less than 100 square miles in north central Mindanao are the headquarters of a million Moros living about the borders of Lake

ships were to be exempt and Jolo crafts were to be free in Spanish ports.

In 1878 there was another capitulation, preceded by a military conquest. The reason why this agreement was made has not been ascertained, for many of its provisions are the same in effect as were signed in 1851, which was still subsisting. Besides the Joloanos were under the heel and had to accept any terms offered. But wherein the two capitulations differed the latter one appears to have been easier on the natives than the former.

Article I declared acceptancy of complete Spanish sovereignty and that the Joloanos were loyal subjects of His Majesty.

Article II increased the Sultan's subsidy to 2,400 pesos yearly and gave to his heir 700 pesos and 600 pesos to each of two datos.

Article III gave to Spain the right to occupy any place needed for public purposes, paying for property taken.

Article IV gave the Sultan the right to collect from foreign ships at ports where he had officials.

Article V gave him the right to appeal directly to the Governor-General in Manila and to make complaints respecting Spanish subordinates.

Article VI gave the Sultan the right to issue licenses to his people to carry muzzle-loading firearms, two persons to guarantee the trustworthiness of the licensees.

Article VII gave the Sultan the right to issue licenses to local craft, but to leave the islands permission of the Spanish commander had to be obtained.

Article VIII required the suppression of piracy.

Article IX permitted free exercise of religion by Mohammedians. Catholic missionaries could visit and reside in the islands.

Article X required Moro culprits to be delivered to the Sultan and Christian delinquents to the Spanish for punishment.

Article XI required the Spanish flag to be flown in the town of Jolo and on Jolo craft at sea.

Article XII and Article XIII provided for observance and modification of capitulation.

But we know as a fact that between the date of this treaty and the departure of the Spanish authorities, a period of over twenty years, war or insurrection existed a large part of the time. Once the Spanish garrison was completely overthrown, but on another occasion the Sultan's town and palace were destroyed. So far as I can learn, the only period of peace was during the rule of blood and iron by General Arrolus, "the man for the position," who ruled with relentless firmness combined with absolute justice, the only safe policy. (1) But his successor was assassinated and nearly the whole garrison massacred. The Spanish authorities continued to pay subsidies to the Sultan and datos until the Philippines evacuation. (2) Slavery was never tabooed and polygamy was not even mentioned, while according to the law of the Koran and immemorial custom the dato had the power of life and death over his subjects. These ancient rights were not taken away.

The American agreement, it seems to me, should never have been made. The treaty of Paris obliged the United States to respect the rights of provinces, municipalities, ecclesiastical bodies, corporations, and individuals.

(1) "The Philippine Islands" by Worcester, pp. 193 and 473.

(2) The Spanish "Presupuesto" for 1896-97 carries 8,100 pesos allowance for the sultans and datos of Jolo and Mindanao, but I have not been able to ascertain the names of the persons to whom the payments were made. Forman gives the names of beneficiaries—date unnoted—amounting to 6,100 pesos, but at least 1,800 pesos of this amount was paid to Mindanao sultans and datos. Under the "Bates agreement" the American payments to Joloanos alone amounted to 9,120 pesos annually.

The agreements of 1851 and 1878, both of which seem to have been unrepealed when sovereignty was transferred, furnished workable rules for regulating and defining the rights, duties, privileges, and responsibilities of the Moros toward the United States under the new sovereign power. It would be improper to describe these Spanish-Moro agreements as charters or franchises. By and under them no obligation was imposed upon the Moros or privilege conceded by Spain than such as we have for a number of years been in the habit of according and conceding to our own plains and reservation Indians. Slavery was not mentioned verbally or alluded to by implication. It was a perfectly simple matter to have informed the natives that the United States was the new nation demanding submission and obedience to the law like any other natives. This idea the Moros would have grasped instantly and all matters would have moved forward without more friction than now. The Spanish subsidies could have been continued if we thought proper. But instead, we negotiated and signed a new agreement, proceeding apparently on the theory that a change of sovereignty of a country abrogates all treaties, but in fact both of these old agreements commenced with the formal declaration that the Moros were the subjects of the King of Spain—indeed they were no less "subjects" than were the Filipinos, and are now no more so to the United States under the "Bates Agreement" than are the Filipinos without it or one like it.

It is true that the Sultan has conceded by this agreement the right of "any person to purchase and hold land" if he consents, and Americans or foreigners wishing to enter the country have the right (?) to "ask consent" of the Moro authority. On the other hand, the United States twice refers to the Government of the Sultan. In articles IV and XII the United States abdicates its sovereign powers, conceding to the Sultan his right to refuse consent to the purchase of land or to trade in a country over which the United States is as completely sovereign as she is over the District of Columbia. By the insertion of a clause about slavery, which was disapproved, the slave has apparently lost the right he may have formerly had of purchasing his freedom. There can be no hazard in the statement that the Spanish Government would never have inserted such provisions in any agreements with the Moros, nor in the further statement that the Sultan will not, until forced, fail to insist on our observance of what he calls a treaty with the United States.

This agreement is indeed the law of the land until Congress shall otherwise direct or until the signatory parties shall agree upon modifications. That the sultan will hold to all so far conceded by us goes without saying.

The "Government of the Sultan," as the patriarchal Moro régime is called, is not a good definition. There is, however, some sort of a

government in all savage and wild tribes, indeed in the most primitive of them, and the Moro governments have advanced beyond the most primitive form. While they have no written laws (save those contained in the Koran), they yet have some learned men who are lawgivers, but the executive power is in the head or chief, and he may not be restricted by anyone in executing his own will, even to the taking of human life.

The question has been asked, "What form of government should take the place of this one we see in operation?" The student of history knows that the transition from patriarchal form and mediæval feudalism to a government of law was slow in the extreme even with the Caucasian race. How many of us have seen the failure of attempts to make self-governing citizens quickly out of the breechclouted, naked savages. It seems to me that the worst misfortune that could befall a Moro community and the nation responsible for good order among the Moros would be to upset and destroy the patriarchal despotism of their chiefs, for it is all they have and all they are capable of understanding. Christian missionaries have utterly failed to make converts anywhere among the Mohammedans. They appear to be as firm in their adherence to the rules laid down by the Prophet as were the Medes and Persians to their laws. While we may refuse to recognize their rulers and even destroy them, we can not eradicate the deep-seated religious conviction, the principles of which have been cherished for more than a thousand years. They have no knowledge of, or respect for, any other law than the one which exacts an eye for an eye. It seems to me to be our duty to respect this conservatism and deeply rooted prejudice, to utilize it, and to use these dados in our efforts to lead these people away from slavery, polygamy, piracy, and despotic rule, just as the Dutch have in Java and the English in India. That much success can be obtained with this generation I do not expect. Our only hope is with the rising generation and those to follow.

If Anglo-Saxons, Irish, Italians, Germans, Danes, and Swedes could be induced to emigrate to the Moro country in tens and hundreds of thousands and take up and possess the earth as these people have done in the United States, Canada, New Zealand, and the Argentine Republic, the Moro problem would soon be solved, and there can never be such invasion of these tropical jungles by white men. The native races will continue to form 95 per cent of their inhabitants probably forever and ever. They will be fishermen and pearl divers as long as the sea yields its support. They will gather wax and jungle products as long as the forests remain and sail the seas in their vintas as long as they can find trunks of trees out of which to fashion them. By degrees they may be taught rice and coffee and sugar cultivation. Even the Chinese, who have been invited by the British Company to emigrate to North Borneo, will not come in numbers greater than are needed as merchants, mechanics, domestic servants, clerks, and stevedores, nor will they emigrate to the Moro country in the capacity of homesteaders and agriculturists. One of the causes assigned for the Filipino outbreak against Spain in 1896 was the forced emigration of Filipinos to Mindanao and Paragua.

RECOMMENDATIONS.

I enter upon this with great diffidence, for I realize that the one who offers a solution of a problem that has remained unsolved for

over three hundred years is entering on dangerous ground. I shall, however, offer a few suggestions:

(1) That the "Bates agreement" be abrogated and set aside. This will probably require the action of Congress, for the Moros surely will never willingly give up the rights they now enjoy.

(2) That no sultan or king over all the Moros of any religion or over other datos be recognized.

(3) That hereditary datos be recognized as headmen in the several bands, and those who can earn wages in the performance of public service be paid as such, but that no pension or subsidy be allowed to any sultan or heir apparent or to any other chief.

(4) That government over the Moros be military, and that all violators of the law which amount to capital offenses, also slave catching, be tried and punished by the courts that may be established by the Supreme Government.

(5) That trade in domestic products of the Moro country carried on by the Moros within any part of the Philippines under the American flag be free, unlimited, and undutiable, and that export taxes on Moro products shall not be imposed, this immunity from taxation to continue for ten years.

Of course the sultan and his adherents would be displeased to lose the power to extort tribute from his people, and especially to lose his subsidy from the government. It might result in hostility, but I doubt that, for before the change was made there would be a sufficient force on the ground and in the waters adjacent to quickly crush any force mustered by the sultan, but if the outbreak did occur he would have to be disciplined only once.

The fact is that the treaties the Spaniards made amounted to very little anyway. There was never one made that was not soon violated. The only agreement they can understand is one emphasized with blows, and that the Americans and Jolo Moros must some day come to blows I have no doubt. As respects the Malanao country, we should not lose a day in setting on foot a movement for reoccupation of their country, abandoned by the Spaniards in 1897-98, and that means the following:

(a) The reopening of the wagon road from Iligan to the lake, to be guarded by a battalion of troops.

(b) The launching of light-draft gunboats on the lake, to be like the three which are now sunk in the lake.

(c) The installation of electric motors driven by turbines with the abundant power of the Agus River.

(d) The utilization of this power to operate a trolley railroad laid on the wagon-road grade.

(e) There should be a regiment of troops in the lake valley.

(f) The extension of this road around the lake to and across the divide to Parang, which would be the base ultimately, and a commercial port for all southern Mindanao, the road to be extended to Cottabato, where it would tap the trade of the Rio Grande Valley.

This would take some years to accomplish and would cost two or three million dollars, but it will solve the Moro problem in Mindanao and lead ultimately to the commercial development of this great island, of which one-half is now dominated by savages who are much more savage and intractable than the Igorrotes and Mandavans.

There is an alternative method of procedure, and this is to profit by

the example set by England and Holland, especially the latter power, for the Dutch govern more Malays in Java than the aggregate of all the rest of the world, and among them are a million Mohammedans. The Dutch did not and do not overturn the native rulers, nor do the English in India and in the Straits Settlement, neither do they make treaties with them. The plan so successfully introduced in Java by Governor Yan den Bosch in 1834 was to show the local kings and rajahs a way and means by which their own revenues could be greatly increased. A resident was appointed for each local prince who nominally had the power, but yet this Dutch advisor was the real power behind the native throne and the rajah knew it. All the resident had to do was to advise, watch, inspect, and report and the rajahs apparently did the rest. From 1834 to the close of the century it was never necessary to interpose with force with these rulers, while in that period the population increased more than 300 per cent and the trade from almost nothing to many hundred million guilders.

If the Sultan of Jolo is to be retained as a puppet kingling he should be robbed of all real power through measures such as have been so successfully employed in the oriental lands. It is possible that his quasi sacred character under the law of his religion might be utilized in some way for the benefit of his people, but I prefer the other course, and that is to abate the sultan nuisance, just as the Moros themselves have done with their own Sultan in Mindanao.

So far our policy seems to me have been based on opportunism. The Moros datos are constantly asking for information as to our policy for the future, but the army can only say "keep quiet," but they will not do this always. The slave catching and trading is gaining constantly and this will never be stopped until we stop it forcibly.

I can not too strongly recommend that the policy of the United States with respect to the Moros be decided on without delay, and that it be announced and enforced at whatever cost. When these born pirates feel the weight of our power they will believe we are in earnest and respect us, but until then they will despise us and hate us.

As bearing upon the very important questions here presented, I invite especial attention to the inclosures, as follows:

1 to 5. Treaties, agreements, and capitulations by Spanish and Moro authorities.

54. Decree declaring Jolo an open port, 1876.

6. The Bates agreement and letter to the sultan.

7. Report from the commanding officer at Jolo, dated October 11, 1901.

8. Report from the commanding officer at Puerto Princesa respecting a subsidy for a dato on the island of Paragua.

9. Telegram of October 19 from the commanding officer at Cottabato.

10. Copy of telegram of October 19 from the commanding officer at Jolo. The remarks of Major Williams respecting the anomalous condition of affairs in Jolo archipelago, where civil officials are working independently of the military, are, I think, deserving of special attention.

Very respectfully,

GEO. W. DAVIS,
Brigadier-General, U. S. Army, Commanding.

AGREEMENT WITH THE SULTAN OF JOLO IN 1737.

Articles of peace proposed by the governor-general of the Philippines to the ambassadors representing Sultan Mujammad, King of Jolo.

1. The sultan, together with all his principal datos and vassals, and for the said ambassadors, must swear, in the form used by them, an unalterable peace and a firm and friendly faith to the Spaniards and natives of all the islands now subject, or which at any time hereafter may become subject to the Crown of Spain; and this Government for its part swears what is necessary that, through this means, the vassals of both kingdoms may hereafter enjoy a much-desired peace in consequence of the present treaty, which must be perpetual. This treaty can not be broken on any pretext whatsoever so long as the party offended does not charge the other with the offense, informing the offender at the same time of the reasons for terminating the friendly relations; and both parties will, before commencing hostilities, be heard on the cause of complaint, which might prove ill-founded. The party that does not carry out the foregoing condition may be held to act in bad faith.

2. Those who are or may be hereafter the enemies of the Spanish nation must be considered by the Joloanos as their enemies, and vice versa, so that both powers will make war together against whomsoever may be declared the enemy of either; but not against European nations, such as Hollanders, French, English, and others, since this Government has not power to declare war with them, but should any of said powers attempt extortionate demands on Joloanos or Spaniards, the parties not involved in the question will be obliged to continue neutral, nor will they under any pretext assist by furnishing men, arms, supplies, or other articles of war to the enemy of either of the contracting powers. The present articles of agreement to continue in full force and vigor with regard to enemies other than those here mentioned.

3. Commerce is to be carried on free of duties between both Kingdoms by the subjects thereof, provided that said subjects that trade with said nations carried a stamped license signed by the Superior Government for its security, and vassals of the Sultan that go to Manila, or wish to go to any of the provinces of these islands to visit or trade, should also carry a license.

4. Should the vassals of one of the two contracting nations commence hostilities against the vassals of the other in time of peace, either on sea or land, the Sultan, as also this Government, shall be obliged, after the matter has been investigated, to indemnify the power offended, and severely chastise those who committed the offense.

5. Persons captured during war shall be returned by both parties, this being the main point on which the friendly relations and peace of both Kingdoms rest, and stability depends almost entirely on the observance of this article. If the Sultan restores in due time the church ornaments and furniture that have been in his Kingdom since past wars, he will prove his desire to bring about the reconciliation of which he speaks in his letters, and to which this Government has corresponded.

Acceptance and oath.

Manila, chamber of the royal palace, February 1, 1737.

Present, the governor-general of the Philippine Islands.

(Fernandez Valdes Tamon) and ambassadors of King of Jolo (6 in number).

Object of meeting: To solemnize articles of peace which were agreed to on the 22d of last February, in the name of the King, princes, datos, and vassals of the said Kingdom of Jolo.

"It was further agreed that the Sultan of Jolo should make a treaty of peace with the Sultan of Tamontaca, our friend, and establish peace, and be on friendly terms with other princes that may in the future join our Catholic arms. And, concerning the return of captives now in the Kingdom of Jolo, this city (esta ciudad) and other ports of the islands must, within four months, know and comply with what has been agreed to concerning said captives; said four months not to commence to run until the ambassadors have returned to said Kingdom and informed their King of what has been agreed to. All of which having been read to and understood by them, through interpreters, they consented to and approved. They furthermore promised to carefully observe all agreed to, maintain peace, and that they will faithfully perform their part; for the better security of all of which they solemnize and have solemnized in the name of the said Sultan, princes, datos, and vassals, under oath taken according to their custom, manner and rite, they being perjurers such being to the contrary."

Governor-general swears, in name of His Catholic Majesty, Felipe V. King of Spain, to faithfully carry out all agreed to.

Signed by aforesaid ambassadors and interpreters; also by secretary of war and government of Philippine Islands, the military commander of the city (Sargente de este Real Campo), the officers of the guard, and various other officials and persons of those headquarters (Republica).

NOTE.—Approved by the King of Spain by a "cedula" dated June 9, 1742.

TREATY OF 1836 WITH THE SULTAN OF JOLO.

Articles of agreement arranging the duties to be paid by Jolo craft in Manila and Zamboanga, and by Spanish craft in Jolo, which schedule can not be changed except by a new agreement.

ARTICLE 1. Jolo craft which, with proper license, go to Manila, may import products of the islands, subject to the Sultan by paying a consumption duty of 2½ per cent.

ART. 2. Wax and cacao may be deposited in the custom-house by paying 1 per cent; but if these articles are to be imported, the established 14 per cent will be paid.

ART. 3. Jolo craft that trade in Zamboanga will pay a duty of 1 per cent on products of the islands subject to the Sultan.

ART. 4. All the duties will be paid to the Spanish Government Protector, in silver of the established value.

ART. 5. Spanish craft in Jolo will pay the following duties in kind:

	Pesos.
Ships of three masts from Manila—	
With Chinese passengers.....	2, 000
Without passengers.....	1, 800
Brigantine from Manila—	
With Chinese passengers.....	1, 500
Without passengers.....	1, 300
Sloop from Manila—	
With Chinese passengers.....	1, 400
Without passengers.....	1, 200
Boat (small trading boat) from Manila—	
With passengers.....	1, 400
Without passengers.....	1, 200
Galley from Manila or (other?) ports of the Philippines—	
With cargo of rice (palay), sugar, and "sugaranes" (native texture)....	300
Galley from Philippine Islands with cargo of merchandise.....	500

ART. 6. These duties fixed for Spanish craft will be paid in kind in accordance with the value laid down in the following schedule, one half of which will be selected by the Sultan's Government officials from the cargo, and the other half shall consist of such articles as the captain of the boat may select, valuation to be in accordance with the schedule. Articles not in the regular cargo can not be exacted from the captain, nor will he give such in payment.

Articles.	Quantity.	Value.
		Pesos.
Rice.....	1 "laga"	2.00
Sugar	1 "pilon"	5.00
Cocoanut oil	1 "tinaja"	6.50
"Chapas"	per thousand	1.00
"Cambayas ordinarias" .....	....do	9.00
"Corancali"	per piece	11.00
"Coco," black and blue	11 yards	4.50
"Coquillo blanco," 6 brazos	1 piece	6.50
"Coco blanco," 22 brazos .....	....do	16.50
"Jobal de Carrandan " .....	....do	26.00
"Cacha" .....	....do	4.00
"Manta Coleta" .....	....do	1.00
"Muselina lisa," 12 varas.....	....do	10.00
"Muselina labrada" .....	....do	5.00
"Muselina colorada," 12 varas .....	....do	15.00
"Palay" .....	....do	1.00
"Panos de Costa " .....	....do	11.00
"Panos ordinaries cambayados"	1 pane .....	.50
"Panos ordinaries esampados"	per dozen	3.00
"Lanas"	1 piece	6.00
"Lanas comunes" .....	....do	6.00
"Indianas de florecillas" .....	....do	9.00

ART. 7. Jolo ships that trade in ports without a license or that make false representations will be treated as smugglers in accordance with the Spanish laws laid down for such. Spanish schooners and small trading craft (galeras) that show by manifest in Jolo that they carry a cargo of Philippine produce, and are afterwards discovered to have in place thereof a cargo of merchandise (generos), and to have discharged such cargo in the port to be sold therein, will be fined 500 pesos as per values in Jolo, two-thirds of said sum to go to the Sultan and one-third to the royal treasury of the Spanish Government protector.

ART. 8. Should the import duties on any article of commerce produced in the Jolo Islands be reduced in Manila or Zamboanga to a lower rate than that now established, the Spanish Government will also make a reduction so that Jolo ships may always pay less than the rate established.

Should the Sultan of Jolo collect smaller duties from any foreign ship than those established for Spaniards, either as a tax or as a reduction of the valuation of the articles given as payment, he will be obliged to make such a reduction in duties for Spanish craft as will give the advantage to the banner of His Catholic Majesty, in the form already stipulated.

Last Article. Should any of these articles of agreement not agree in both languages, the Spanish text will be literally adhered to.

(Signed) Pedro Antonio Salazar, Salazar, Castillo y Verona. Governor-General.

The foregoing document, consisting of nine articles, arranging the duties to be paid by Jolo craft in Manila and Zamboanga, and also the duties to be paid by Spanish craft in Jolo, has been read. The articles are the same that were drawn up and signed in Jolo, on September 23

of last year, by Capt. Jose Maria Halcon, of the navy, special envoy, and fully authorized by this superior Government and the captain-general, representing the Spanish Government; and Sultan Mahamad-Diamalud-Suiram and principal datos, representing the Government of Jolo. These articles were mutually satisfactory to the representatives of both Governments.

Therefore, in use of the high faculties granted the government and office of captain-general of the Philippines, I approve and ratify the foregoing articles of agreement with the following modifications:

First. The duty of 2½ per cent laid down in article 1 for Jolo craft that may come to Manila is hereby reduced to only 2 per cent.

Second. In order to avoid doubt concerning article 4, be it understood that the respective duties of 2½ per cent in Manila and Zamboanga will be computed from the fixed valuation in the schedules that now hold or may hold hereafter in these places, respectively.

And with these modifications or illustrations I promise, in name of Her Catholic Majesty the Queen of Spain, to carry out and have carried out exactly all that has been herein agreed to as part of the Government of Her Majesty.

In faith of which I sign the present ratification, stamped with the shield of my arms (etc.), in the royal palace, Manila, January 20, 1837.

PEDRO ANTONIO SALAZAR.
JOSE MARIA CAMBRONORO.

[Translation.]

THE SULTANSHIP OF JOLO.

[April 20, 1861. Act of incorporation in favor of the Spanish Monarchy.]

Solemn act of the incorporation and joining of the island of Jolo to the sovereignty of Her Catholic Majesty Isabel II, constitutional Queen of Spain and her colonies, and of the submission to the Government of the Spanish nation of His Majesty the Sultan of Jolo, Mahammed Pulalon, and Datos Mahammad-Bollo-Mulok, Daniel Amil-Bajal, Ban-Da-Jala, Mulok-Cajal, Amil-Baral, Tamangon, To-Han, Sana-Ya-Han, Naip, Mamancha, and the Sherif Mahammad Binsarin, in the name of and as representatives of the whole island of Jolo; performed before Col. Jose Maria de Carlos y O-Doilo, politico-military governor of the province of Zamboanga, islands of Basilan, Pilar, Tonquil, and those adjacent thereto, as plenipotentiary and specially authorized official of his excellency Captain-General Antonio de Yrbistondo, Marques de Solana and governor-general of the Philippine Islands.

ARTICLE 1. His Excellency the Sultan of Jolo, for himself and his heirs and descendants, Datos Mahammad-Bulle-Mulok, Daniel-Amil-Bajal, Ban-da-Jala, Mulek-Cajal, Amil-Baral, Tomangon, Yo-Han, Sana-Ya-Han, Naip, Mamancha, and the Sherif Mahammad-Binsarin, all of their own free will, do declare:

That for the purpose of redressing the Spanish nation for the outrage done it on January the first of the present year, they desire and request that the island of Jolo with all its dependencies be attached to the Crown of Spain, which for some centuries back has been her only mistress and protectress; again on this day performing the solemn act of adhesion and submission acknowledging the jurisdiction

of her Catholic Majesty Isabella II, Constitutional Queen of Spain and her colonies, and the jurisdiction of those who may succeed her in this supreme dignity, as their sovereign, lords, and protectors in so far as the right corresponds to them under the law; and this they do both on account of former treaties, the treaty of 1836, and additions made thereto by the present governor of Zamboanga on August last, and also and especially on account of the recent conquest of Jolo, which was accomplished on the 28th of February of the present year by Captain-General Antonio de Urbiztondo, Marques de Bolana, and governor-general of the Philippine Islands.

ART. 2. The sultans and datos solemnly promise to maintain intact the territory of Jolo and its dependencies as a part of the archipelago belonging to the Spanish Government.

ART. 3. The island of Jolo and all its dependencies having been ceded to the Crown of Spain, and the inhabitants thereof forming a part of the great Spanish people that inhabit the vast Philippine Archipelago, the sultan and datos can not make or sign treaties, commercial contracts, or alliances of any kind whatsoever with European powers, companies, or persons, corporations, sultans, or Malayan chiefs under pain of nullity. They declare as null and of no effect all treaties made with other powers should such treaties be prejudicial to the ancient and indisputable right held by Spain over the entire Jolo Archipelago as part of the Philippine Islands, and they ratify, renew, and leave in full power and effect documents drawn up formerly that contain any clause favorable to the Spanish Government, no matter how remote the period in which such document or documents may have been drawn up.

ART. 4. They renew the solemn promise not to carry on or allow anybody else to carry on piracy within the dominions of Jolo, to persecute those that are given to this infamous traffic, declaring themselves enemies of all those islands that are enemies of Spain and allies of all her friends.

ART. 5. From this day forth the island of Jolo will fly the Spanish national banner from the flagstaffs of her towns and all her sea craft, and the Sultan and other authorized officials will use the Spanish war flag under the same circumstances as are established in other Spanish countries, and they can not use any other either on sea or on land.

ART. 6. The island of Jolo and its dependencies having been declared an integral part of the Philippine Archipelago that belongs to Spain, traffic carried on in all of the parts of the sultanhip under the Spanish flag will be free and without hinderance whatsoever as in the ports of the nation.

ART. 7. The Sultan and datos having acknowledged the sovereignty of Spain over their territory, which is now strongly established, not only by right of conquest but also by the clemency of the conqueror, they can not erect fortifications of any kind whatsoever in the territory under their command without express permission from his excellency the governor-general of these islands. The purchase and use of all kinds of firearms will also be prohibited except where a license is had from the same supreme authority, and craft found bearing arms other than "armas blancas," which have from time immemorial been in use in the country, will be considered as enemies.

ART. 8. The Spanish Government, as an unequivocal proof of the

protection she affords the Joloanos, will grant the Sultan and datos suitable titles of nobility in accordance with their authority and rank.

ART. 9. The Spanish Government, with all due solemnity guarantees the Sultan and other inhabitants of Jolo the free exercise of their religion. To this there will not be the least impediment, and their customs will be equally respected.

ART. 10. The Spanish Government also guarantees the right of succession to the present Sultan and his descendants, in the order established, as long as they live up to these treaties; and in like manner insures equal guaranty of the titles and rank of the privileged classes, whose rights shall be strictly maintained.

ART. 11. Ships and goods of the Joloanos in Spanish ports will be granted, without any modification whatsoever, the same privileges and advantages granted natives of the Philippine Islands.

ART. 12. The duties that constitute the income of the Sultan and datos and with which they maintain their respective rank will continue to be collected, except from Spanish ships, that they may at all times maintain their station with due splendor and decorum. With this end in view all persons coming to their ports will pay the required duties. Other steps will be taken later on for the promotion of their rank and the increase of their prestige.

ART. 13. For the purpose of extending and securing continuously the authority of the Sultan, as also for the purpose of establishing a stable traffic such as the richness of the island of Jolo should produce, a trading post garrisoned by Spanish troops will be established as soon as the Government so orders, and in harmony with article 3 of the treaty of 1836, is obtained from the Government; and in the establishing of this trading post the Sultan, the datos, and the natives will assist in so far as lies in their power. Those furnishing materials or doing work will be paid the price current in the country.

ART. 14. The Cotta de Daniel being the most suitable place for the trading post (it is close by La Rada), it will be there established; but care will be taken to not encroach on the native cemetery that is close by; this must be religiously respected, and no building shall be erected thereon. Those not wishing to suffer consequences will take care not to violate this rule.

ART. 15. The Sultan of Jolo may issue passports to all individuals within his dominions that may request the same, and will name thereon the fees collected for such passports; he is also authorized to countersign or place his seal on the passports of Spaniards visiting at his residence.

ART. 16. Considering the complaint of the Sultan of Jolo and knowing the losses actually suffered by him by the burning down of his forts and palace, the Spanish Government grants him a yearly salary of 1,500 pesos in order to indemnify him in a certain manner for those losses, this salary serving at the same time to maintain him in that splendor belonging to his person and rank. The same considerations impel the Spanish Government to grant to Dattos Mohammad-Bulle-Mulok and Daniel-Anil-Bajal 600 pesos per annum each, and 300 pesos to the Sherif Mahammad-Binsarin on account of his good services rendered the Spanish Government.

ART. 17. The articles contained in this solemn act go into full effect on this day, subject, however, to the approval of his excellency the governor-general of the islands. All doubts that may arise concerning

the construction of the text of this act will be resolved by adhering to the literal meaning of the Spanish language used in the same.

Signed at Jolo, April 19, 1851.

Seal of the Sultan and the dattos named herein follows:

Signature of the Sherif Mahammad-Binsarin; the politico-military governor of the province of Zamboanga, etc., Jose Maria de Carlos y O'Doile.

I, Don Antonio de Urbiztondo y Equia, Marquis de la Solana, Knight with the Great Cross of the Royal American Order of Isabel the Catholic, Knight of the Royal Order of San Fernando of first and third class, and Knight of the Royal Order of San Hermenegildo, lieutenant-general of the national forces, governor and captain-general of the Philippine Islands, president of the royal audiencia of the Philippine Islands, judge-subdelegate of post-office revenues, vice-royal patron and director-general of the troops, etc., in name of Her Majesty Dona Isabel II, approve, confirm, and ratify this capitulation.

ANTONIO DE URBIZTONDO.

MANILA, *April 30, 1851.*

True copy.

Seal of the office of the captain-general of the Philippine Islands.

A true copy:

S. W. FOUNTAIN,

Major. U. S. Cavalry, Assistant-Adjutant General.

ARTICLES OF CAPITULATION, PEACE, AND SUBMISSION TO SPAIN OF THE SULTAN AND DATTOS OF JOLO.

[Signed in duplicate (Spanish and Joloano dialect) at Licop (Jolo) July 22, 1878.]

Document drawn up to establish the basis of peace and capitulation, presented by the Sultan of Jolo and the dattos to His Majesty the King Don Alphonso XII, through his excellency the governor (captain-general) general of the Philippine Islands, acknowledging the sovereignty of Spain in the territory of this Sultanate.

In the town of Licup (Jolo), palace of the Sultan of this archipelago, July 20, 1878 (23d day of the moon Padchab, year of the Egiria 1295).

Present: Carlos Martinez y Romero, colonel of infantry and politico-military governor of Jolo; Francisco Fernandez de Alarcon y Garcia, colonel of marine corps, captain of frigate, commander of the naval stations of Jolo; and Interpreters Alejo Alvares y Villasis and Pedro Ortuosto y Garciam, these constituting a commission representing his excellency the governor-general of the Philippines.

Present in name and representation of so-called Sultanate and its dependencies: Paduca Mafasari Maulana, Sultan of Jolo; Mujamad Dchamalul Alam, Datto Paduca Mujamad Zadarudin Radchamuda; Datto Paduca Mujamad Dechainal Abidin, Radchalant; Paduca Datto Mujamad Jarim Marasid, and Datto Paduca Muluc Banda-rasa.

The representatives of so-called Sultanate are present for the purpose of signing the articles of peace and capitulation, presented by said Sultan and dattos to said governor-general, February 24 of this year, which were approved by His Majesty Alphonso XIII on May 3 last.

The articles were read as follows:

Basis of pacification and capitulation presented by the Sultan and

datto of Jolo, to His Majesty the King of Spain, Don Alphonso XII, through his excellency the governor-general of the Philippines, acknowledging the sovereignty of Spain in the territory of said Sultanate.

ARTICLE 1. We declare that the sovereignty of Spain over all the archipelago of Jolo and its dependencies is indisputable, and, as a natural consequence of this declaration, we constitute ourselves loyal subjects of His Majesty the King Don Alphonso XII, and his successors to the power.

ART. 2. The Spanish Government will give me a yearly salary of 2,400 pesos, 700 pesos to the heir to the Sultanship, and 600 pesos to each one of the datos, Paduca Dato Jarin Narasid, Paduca Dato Muluc Bandarasa Ansars Pula, members of my council, to compensate them in some way for the losses they have suffered.

ART. 3. Spain has the right to occupy such points in the Jolo Archipelago and its dependencies as may seem necessary to the Spanish authorities, respecting towns, families, and their property, and, in case a forcible appropriation for general welfare, will indemnify according to appraisement.

ART. 4. I will be empowered to collect duties from foreign merchants and ships that trade with points where there are Government authorities.

ART. 5. I will be permitted to communicate directly with the governor-general whenever I may have a complaint to make against the governor or commanders of war ships.

ART. 6. I will be authorized to issue licenses when they are asked for by Joloanos to carry muzzle-loading firearms, previously, however, having presented two honorable witnesses who will guarantee their proper use both on land and sea.

ART. 7. I will be authorized to issue passports to Jolo craft; but when any of the craft referred to have to leave the Jolo Archipelago they will first present themselves to the governor. The principal datos and some other persons serving under commissions from me are to be excepted from this formality, and I am obliged to furnish information as to who these persons may be.

ART. 8. We will use our efforts to cause pirates and malefactors to desist from their evil inclinations, and in case it can not be avoided, we will advise the governor of Jolo that he take such steps in the matter as he deem necessary, provided we know where such malefactors and pirates are; but we will not be responsible if we have no information concerning them. We agree, however, to render all assistance at our command in persecuting such pirates and malefactors.

ART. 9. We will be permitted to free exercise of our religion and customs. Catholic missionaries will have liberty to visit and reside in any place in Jolo and its dependencies, and will previously notify us, that in case there be danger we may furnish an escort; and in case they should not so notify us we will not be responsible for any mishap that may befall them. These cautions apply equally to any European or Christian Indian (native) whom they may concern.

ART. 10. We are obliged to deliver Christian delinquents and criminals, and Moros of these classes are to be returned to us.

ART. 11. Jolo and its dependencies will raise the Spanish flag on their craft and in their towns. Any craft failing to do this will not

be held at fault if it has a passport, and I will fly the Spanish flag wherever I reside.

ART. 12. We are obliged, as is also the Government, to faithfully carry out all that is herein stipulated, and we pray that any difference or doubt be thoroughly and duly looked into before resorting to armed force.

ART. 13. All the articles of the foregoing capitulations will be observed without alteration, except by mutual agreement.

Both commissions unanimously agreeing to the foregoing document as read, it being made up of the conditions heretofore agreed upon, and copies of said conditions being now in the hands of the governor and of the Sultan of Jolo.

We sign this document in the place, on the day, month, and year aforesaid.

(Signed.) Sultan and eight of principal datos.

(Signed.) Politico-military governor (Carlos Martinez), commander of Jolo naval stations, and two interpreters (Alvarez and Ortuoste).

ARTICLES OF CAPITULATION OF THE SULTAN OF BOLAYAN AND KUDARANGA, DATO UTTO, HIS WIFE, AND ALL THE OTHER CHIEFS OF BOLAYAN AND BACAT, TO HER MAJESTY THE QUEEN REGENT, MARCH 10, 1887.

[Translation.]

According to which the Sultan of Bolayan and Kudaranga, Dato Utto, his wife, Radja Putri, and all other chiefs of Bolayan and Bacat offered to submit themselves to Her Majesty the Queen Regent, in name of His Majesty the King Alfonso XIII.

ARTICLE 1. The foregoing promise to destroy and level to the ground, henceforward, all "cottas" (forts) and defenses that have not already been so destroyed by the army, and to force those that have up to the present time defended same to evacuate them.

ART. 2. The undersigned acknowledge themselves the loyal and obedient subjects of His Majesty the King of Spain, and in the future will only use the Spanish flag.

ART. 3. On the other hand, they hope that their religion, usages, and customs will be respected as heretofore.

ART. 4. The undersigned here make known their gratitude for the concession they have received from the general in chief, in name of His Majesty the King of Spain, namely, to be allowed to continue in possession of their ancient property (possessions), and they promise to facilitate transit by paths, roads, and streams throughout the territory of Bolayan and Bacat.

ART. 5. Dato Utto and his wife, Radja Putri, acknowledge their gratitude for the respect shown the graves of their family, and also for the voluntary concession of the general in chief wherein he permits them to erect dwellings in the immediate neighborhood thereof.

ART. 6. They also submit to the regulation which provides that all Moros that navigate in vinta or other craft on the Rio Grande at its affluents must have a pass or "patents" issued by the governor of Catubato or the military commander of the forts.

ART. 7. Dato Utto and the other datos in the territory of Bolayan and Bacat solemnly promise to chastise or deliver, according the case,

Moros who, in any concept whatsoever, are guilty of misdemeanors or crime against persons or property.

Eighth and last article. Apart from what is stipulated in the foregoing articles, we promise not to carry on war against the datos on the lower part of the river and to return to them the Moros we have taken during the war.

Signed at Bacat, on the 30th day of the Moon Jamadil Anal, year of the Hegira 1304 (March 10, 1887).

Signed by Dato Utto and his wife, Radja Muda, 20 datos, and one Scherif Sultan.

Signed, the general in chief, Amilio Terrero.

A true translation from the Arabic, Pedro Ontuosto, interpreter.

A true copy:

J. S. DE BARANDA.

DECLARATION OF JOLO AS AN OPEN PORT, 1876.

[Decree of Mealcampo, the governor-general of the Philippines, declaring Jolo an open port. 1876.]

1. Jolo is from this date an open port, and absolutely no duties will be collected on foreign importation or exportation, with the only exception of arms, munitions, and stores of war, and all articles prohibited by present legislation as contrary to public morals and health.

2. Within forty-eight hours after a visit of the health commission (and all ships having declared by said commission to be open to visitors) all ships at anchor in the port of Jolo must present to the competent authority a manifest of the whole cargo carried.

The governor of the port, or his delegate, can, whenever he so desires, compare the cargo with the manifest. Ships leaving Jolo with cargo for foreign ports or other ports of these islands, be they native or foreign, are obliged, for the sake of commercial statistics, to present to the competent authority a bill of lading of the merchandise they export.

3. Ships in Jolo that have complied with the formalities laid down in the foregoing article can take the whole or part of their cargo to the port or ports which they have indicated, provided they have authority from the governor of the port.

4. Articles shipped from Jolo will be considered as foreign in ports of entry in these islands. The natural products of the country will, however, be treated as coast trade if the ships carrying such cargo fly the Spanish (nacional) flag.

5. Exportation to the port of Jolo will continue as heretofore, being classed as coast trade if carried under the Spanish flag. This also applies to ships carrying a foreign flag, provided the formalities of the law have been complied with and payment of duties has been made to the customs-house in the port of entry in this archipelago whence the ship proceeds.

BATES'S TREATY.

Agreement between Brig. Gen. John C. Bates, representing the United States, of the one party, and His Highness the Sultan of Jolo, the Dato Rajah Muda, the Dato Attik, the Dato Calbi, and the Dato Joakanain, of the other part; it being understood that this agreement will be in full force only when approved by the governor-general of the Philip-

pine Islands, and confirmed by the President of the United States, and will be subject to future modifications by the mutual consent of the parties in interest.

ARTICLE I. The sovereignty of the United States over the whole archipelago of Jolo and its dependencies is declared and acknowledged.

ART. II. The United States flag will be used in the archipelago of Jolo and its dependencies on land and sea.

ART. III. The rights and dignities of His Highness the Sultan and his *datos* shall be fully respected; the Moros shall not be interfered with on account of their religion; all their religious customs shall be respected, and no one shall be persecuted on account of his religion.

ART. IV. While the United States may occupy and control such points in the archipelago of Jolo as public interests seem to demand, encroachment will not be made upon the lands immediately about the residence of His Highness the Sultan, unless military necessity requires such occupation in case of war with a foreign power; and where the property of individuals is taken due compensation will be made in each case.

Any person can purchase land in the archipelago of Jolo and hold the same by obtaining the consent of the Sultan and coming to a satisfactory agreement with the owner of the land, and such purchases shall immediately be registered in the proper office of the United States Government.

ART. V. All trade in domestic products of the archipelago of Jolo, when carried on by the Sultan and his people with any part of the Philippine Islands, and when conducted under the American flag, shall be free, unlimited, and undutiable.

ART. VI. The Sultan of Jolo shall be allowed to communicate direct with the governor-general of the Philippine Islands in making complaint against the commanding officer at Jolo or against any naval commander.

ART. VII. The introduction of firearms and war material is forbidden, except under specific authority of the governor-general of the Philippine Islands.

ART. VIII. Piracy must be suppressed, and the Sultan and his *datos* agree to heartily cooperate with the United States authorities to that end, and to make every possible effort to arrest and bring to justice all persons engaged in piracy.

ART. IX. Where crimes and offenses are committed by Moros against Moros, the government of the Sultan will bring to trial and punishment the criminals and offenders, who will be delivered to the government of the Sultan by the United States authorities if in their possession. In all other cases persons charged with crimes and offenses will be delivered to the United States authorities for trial and punishment.

ART. X. Any slave in the archipelago of Jolo shall have the right to purchase freedom by paying to the master the usual market value.

ART. XI. In case of any trouble with subjects of the Sultan, the American authorities in the islands will be instructed to make careful investigation before resorting to harsh measures, as in most cases serious trouble can be thus avoided.

ART. XII. At present Americans or foreigners wishing to go into the country should state their wishes to the Moro authorities and ask for an escort, but it is hoped that this will become unnecessary as we know each other better.

ART. XIII. The United States will give full protection to the Sultan and his subjects in case any foreign nation should attempt to impose upon them.

ART. XIV. The United States will not sell the island of Jolo or any other island of the Jolo Archipelago to any foreign nation without the consent of the Sultan of Jolo.

ART. XV. The United States Government will pay the following monthly salaries:

	Mexican dollars.
To the Sultan	250. 00
To Dato Rajah Muda	75. 00
To Dato Attik	60. 00
To Dato Calbi	75. 00
To Dato Joakanain	75. 00
To Dato Puyo	60. 00
To Dato Amir Hussin	60. 00
To Hadji Butu	50. 00
To Habib Mura	40. 00
To Serif Saguin	15. 00

Signed in triplicate, in English and Sulu, at Jolo, this 20th day of August, A. D. 1899. (15th Arabuil Ahil, 1317.)

THE SULTAN OF JOLO.
DATO RAJAH MUDA.
DATO ATTIK.
DATO CALBI.
DATO JOAKANAIN.
J. C. BATES,
Brigadier-General, United States Volunteers.

ZAMBOANGA, MINDANAO, April 4, 1900.

To His Excellency the SULTAN OF JOLO, the DATO RAJAH MUDA, the DATO ATTIK, the DATO CALBI, and the DATO JOAKANAIN,
Island of Jolo:

I have the honor to state that I have been directed by the military governor of the Philippines to inform you that the President of the United States has confirmed and approved the agreement of August 20 last between the Sultan of Jolo and the Dato Rajah Muda, the Dato Attik, the Dato Calbi, and the Dato Joakanain on the one part, and myself, as representing the United States, on the other, except as to the tenth article, which reads as follows: "Every slave in the archipelago of Jolo shall have the right to purchase freedom by paying to the master the usual market value."

The subject of slavery or peonage will be reserved as a matter for further conference, determination, and agreement.

The Constitution of the United States forbids slavery in any part of the United States, and it remains to find an equitable mode of abolishing the institution. All other articles of the agreement are in force.

Very respectfully,

J. C. BATES,
Major-General, United States Volunteers.

A copy of this letter has been sent to His Excellency the Sultan of Jolo and to Dato Calbi and Dato Joakanain, and the commanding officer, Jolo, P. I.

**REPORT OF MAJ. C. A. WILLIAMS, SEVENTEENTH INFANTRY,
IN RELATION TO MORO AFFAIRS IN THE THIRD DISTRICT
FOR THE QUARTER ENDING SEPTEMBER 30, 1901, AND
INCLOSURES THERETO.**

HEADQUARTERS THIRD DISTRICT OF MINDANAO AND JOLO,
Jolo, Jolo Island, October 11, 1901.

The ADJUTANT GENERAL,

DEPARTMENT OF MINDANAO AND JOLO, *Zamboanga, P. I.*

SIR: In accordance with letter dated Headquarters Military District of Mindanao and Jolo, April 17, 1900, assumed to be in force in this department, I have the honor to submit report of Moro affairs in this district for the quarter ending September 30, 1901.

Maj. O. W. Sweet, Twenty-third Infantry, was relieved from command of this station July 22; the command fell to Col. J. M. Thompson, Twenty-third Infantry, who was taken sick September 1, and was succeeded by Capt. W. A. Nichols, Twenty-third Infantry, who in turn was succeeded, September 4, by Maj. W. H. W. James, Twenty-third Infantry, on whom I depended for information bearing on the situation in the district. I have not yet been able to grasp all the details of the situation, nor to fully determine the policy pursued heretofore in management of Moro affairs.

The report of the district commander for the quarter ending June 30, 1901, left the "Government of the Sultan" at war with a number of his *datos*, which war continued until September 19, when the hostile leaders met at Jolo and concluded peace. How lasting this may prove to be it is impossible to state. Before the 30th of September it became apparent that serious questions were to result and that both parties prepared to hold to account certain so-called followers not participating in the war. I have been compelled to interfere to prevent punishment of some who kept out under advice or orders of Major Sweet. Appendixes 1 to 11 set forth the situation as concisely as can be done by paragraphs. Lieutenant Hobbs, commanding at Siassi, went to Lugus with 30 men, in connection with the affair referred to in Appendix 7, and secured a temporary suspension of hostilities.

Appendixes 12, 13, and 14 refer to a disorder between Moros, which resulted in killing of a boy, "Ebid," on July 3. In accordance with opinion of department commander, conveyed in cable July 10, 1901, the parties were turned over to the "Government of the Sultan" on August 27, with what result is not yet known.

The question of securing modification of the "Bates agreement" on the lines indicated in the letter of July 25, Headquarters Division of the Philippines, comes to me as "unfinished business." Copy of an unsigned typewritten memorandum is attached, marked "14½," indicating the progress made, which appears not to have been very promising.

Appendixes 15, 16, and 17 relate to a complaint of Hatib Ismailah, declared May 29, 1899, at Sandakan, and transmitted through the governor of British North Borneo. The declaration sets forth that a boat and effects belonging to said Ismailah were seized on the island of Tawitawi, about nine months before, which would place the offense at any time during August, 1898. This was long before our occupation of this section of the islands, and in all probability before our

jurisdiction in the archipelago. The status of this affair is shown in Appendix 17, a letter from my predecessor to his excellency the governor of Borneo. Considering the date of the act committed, the responsibility of the United States or of the Sultan to the United States is one which might well be determined by higher authority should the matter again be brought before us through official foreign channels.

On August 31 a letter was received from the court of first instance, Jolo, Judge Whitsett, requesting detail of a N. C. O. to act as sheriff for the purpose of arresting a Moro, named Butu, living on the island of Pangutarang, about 40 miles northwest from Jolo, and representing that complaint had been filed in the court by one Mohamed Kasim, an Indian of Jolo (Tulei), that said Butu had, on August 14, 1901, robbed him of goods (cloth, silk, and rice) to the value of \$200. The question of original jurisdiction or, perhaps better, the right of this court to institute criminal proceedings in territory still under military control independent of the military government, and that of the duty of the commanding officer to respond to call of the court in such case under the provisions of paragraph 1, General Orders, No. 64, Division of the Philippines, series 1900, arose in mind of my predecessor and, under date of September 13, 1901, the letter was forwarded to the department commander for decision. No reply has yet been received. In meantime, however, the plaintiff was summoned before commanding officer, his statement taken, and the Sultan, under date September 12, was called on to deliver Dato Hamja (who seems to have been implicated) and Butu to the commanding officer for investigation and trial, if necessary. Under date of September 16 the Sultan suggests that the commanding officer send for the parties and have them tried. The matter now rests here. Appendixes 18, 19, and 20 set forth the details of this affair.

Inclosures 21 and 22 contain correspondence between the governor and the Sultan in regard to possession by the Moros of American rifles; also regarding the stealing and enslaving of children. Whether formal complaint was made in last-named matter does not appear, but investigation by my predecessor, Colonel Sweet, develops that such stealing has been done, and that Maharajah Indanan is a principal in this work and Maharajah Sarapuddin, of Lugis, a party, he appearing to have bought the stolen boy. The Sultan in his letter (Appendix 22) expresses a desire to bring his dates into subjection, or under his control, in order to bring about a better state of affairs and a more stable "Government of the Sultan," and expresses desire that the Americans help him to bring about this condition.

Inclosure 23 is a letter from the commanding officer to the Sultan demanding the arrest of one Selungan, directed by the department commander in indorsement of September 4. The action of the Sultan is indicated in inclosure 24. The indications are that Selungan has escaped. Whether or not through connivance of the Sultan is uncertain.

The Chiefs Sarapuddin, Indanan, and Selungan impress me, from each matter as has come before me, as being closely allied to higher leaders of the Moros, and as men who may be expected to keep up constant unrest in this group. The commanding officer at Siasi has already complained of Sarapuddin. I have notified him that Selungan

is a subject for arrest, and notice will also be given to the commanding officer at Bongao.

Slavery is and for a long time must be the source of much trouble and many misunderstandings. Cases are constantly presented, and each brings with it serious and delicate questions. It does not seem possible that the general subject can be treated evasively much longer. The Moro authorities can not be relied on for assistance in the suppression of this evil. History has shown that a people much more advanced in civilization were not to be turned away from it by peaceful argument.

Inclosure 25 was left with me at the last moment from Captain Sage, as "secretary of Moro affairs," to the effect that oral complaint was made by the Sultan, through the prime minister, Hadji Butu, about collection of money under article 44, Forestry Regulations, claiming it to be in violation of article 5 of the agreement, which provides that "all trade in domestic products of the archipelago of Jolo, when carried on by Sultan and his people with any part of the Philippine Islands, and when conducted under the American flag, shall be free, unlimited, and undutiable."

It would be a difficult task to convince these people that the terms employed were not intended to exempt the Moros from the general internal-revenue laws. Although the complaint has not as yet been put in writing as proposed, it is advised that the question be submitted to the proper authorities, that the commanding officer may be put in position to give decisive answer if the subject is revived.

The foregoing sets forth in detail the matters which have direct bearing on the relations with the leaders of the Moro people. Through it all I fail to discover anything which indicates that the masses of the people are discontented with American administration or have occasion to be. Much has transpired, however, which may have irritated the Sultan and some of his chiefs, and I do not feel that the temper of all these headmen is such as is to be desired. No progress has, I believe, been made influencing them in a voluntary way for change of customs, political, social, or commercial. As yet there are no men among them capable of assuming municipal offices under American system, and without such, subjugation by arms could not bring about local civil government. The hope of these people rests in teaching the children and patiently awaiting the fruits of education; this to a greater degree than with the Filipinos. They are more nearly on the level of the Igorrotes of Luzon.

SCHOOLS.

The principal men are disposed to encourage schools for the boys. I am told that the girls will not be allowed schooling.

I have strongly recommended to the general superintendent of instruction at Manila the former teacher here, Mr. Wahab, as a most suitable person to go to the Sultan's town as teacher and as an organizer of schools among the people. Years can be saved by availing ourselves of the services of such a man, and I beg the cooperation of the department commander in this matter.

Three American teachers arrived here on September 27. One male teacher has taken the place of Mr. Wahab and a lady teacher has reopened the girls' school. The second male teacher will go to Sia-si

soon. This opens a fourth branch of civil government here, and the control of the military authorities becomes more and more open to question. There are here a civilian collector of customs, a postmaster, a judge of court of first instance, and a corps of American civilian teachers, each receiving detailed instructions from heads of their respective departments.

IMPROVEMENTS.

But little progress has been made in the construction of roads into the interior. The trouble between the Sultan and the datos caused complete suspension of work during the quarter and of expeditions of mounted detachments. Troop B, Fifteenth Cavalry, will be utilized in continuing the examination of the country. All reports confirm the statements that Jolo Island is peculiarly well adapted to operations by mounted troops, the country being open in nearly all directions and free from the rank growth so common in most of the uncultivated parts of the Tropics.

The quartermaster has now \$5,000 Mexican for continuing the road to the Sultan's town, Maibun, and work will be resumed very soon.

Communication with Bongao and Siassi promises to be very much crippled through breaking down and discharge of the *Isla de Negros*. Bongao especially will feel the effects, as the *Sultana* can not be spared to cruise about the waters of that section. The laying of cable to Siassi (October 9) will be of great assistance. Extension to Bongao is urgently recommended.

Very respectfully,

C. A. WILLIAMS,
Major Seventeenth Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, July 2, 1901.

To the Chiefs of the Island of Ubian and other Islands of the Tawi-tawi Group, from the Governor of Jolo, Lieut. Col. O. W. Sweet, Greetings:

The fighting going on in the island of Jolo between the datos Calbi and Joakanain and the followers of the Sultan is to be confined entirely to the island of Jolo. You and your people, whether Sultan or dato followers, are to live at peace with one another. I will hold you individually responsible that peace is maintained in these islands.

You will receive further instructions from the governor at Bongao.

Very respectfully,

O. W. SWEET,
Lieutenant-Colonel Twenty-first Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

This Letter from your Brother, Dato Mohamed Amirhussin, to my Brother, the Governor:

I am at a loss how to act in the matter of the Sultan and Dhulkarnain and Calbi. You and I acted as mediators, but they have not come to any terms yet, and, as I hear, are fighting. I beg to inquire of you what action I shall take, and, as you are a wise man, I beg you to show me the good road.

The letter you sent me about the slavery I have received, and I understand its contents. I have not answered it, because I will wait till we meet.

Greetings and best wishes to you, and may Allah grant you long life.
No date.

Received July 5, 1901.

CHARLES SCHUCK,
Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, July 5, 1901.

To Dato Amirhussin, from Colonel Sweet, Governor of Jolo, Greetings:

Your letter received. I tried to prevent the fight, for the good of the Moro people, and failed, due to the Sultan, who, I see, was the stumbling block when you tried to preserve peace. Now that fighting has started, I think it is best for the Sultan and datos to fight it out. It must be understood that no fighting will be tolerated except on the islands of Jolo group. The people of Tapul, Lugus, Siassi, and Tawitawi must remain quiet and live in peace, whether they are followers of the Sultan or datos. Do all you can to preserve peace, and make the chiefs understand that the fight is a fight between the followers of the Sultan and datos on the island of Jolo, and that the fighting must be confined to Jolo.

Very respectfully,

O. W. SWEET,

Lieutenant-Colonel Twenty-first Infantry, Commanding.

Headquarters third district of Mindanao and Jolo.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

This Letter from your Sister H. H., the Sultana Inchy Jamela, to my Brother, Colonel Sweet, Governor of Jolo:

I beg to thank you most sincerely for your very kind letter, and the very beautiful silken banner, my brother, General Kobbe, presented me with. Please accept my heartfelt gratitude for the brotherly love you and my brother, General Kobbe, bear me, and for the great interest you both take in me, your sister. I accept the beautiful flag in the same spirit in which it is given, and shall ever look upon it with

sisterly love as a mark of great love and friendship. I shall keep it in remembrance of you, my brothers, and if anybody should do me harm I trust that you will protect me, now that your flag is with me.

There is another thing I wish to tell my brother, the governor. Some one said the reason Maharajah Indanan's people could not help him to fight is because Panglima Hadji Tahir is threatening to attack their country. If this is true, I beg you to forbid Tahir to do so, because he told you that he would remain neutral. I beg you most urgently to tell him this, as Indanan's people can not leave their country for fear Tahir might attack it. There is another thing I wish to inquire about. It is said that you have forbidden my uncle, Amirhussin, and his people to join the fight and that they are not allowed to assist us, if what Panglima Sasapan said is true. But I can hardly believe it, because Uncle Amirhussin upholds the same cause as his grandson, the Sultan. Besides, it was Uncle Amirhussin who tried his best to bring Jakanain to reason. The Sultan asked the datos to meet him, and agreed to accept all their conditions. A letter was written then asking them to come to Maibum, but instead of doing so they built forts and wanted to fight. Even common people, if they are offered an insult, will protect their honor; how much more a Sultan? This is the cause of their fight; the datos have brought it on. I am making these inquiries, and trust my brother will write me and let me know at once if these rumors are true or not.

Greetings and best wishes to my brother, and may Allah grant you long life and happiness.

No date.

Received July 8, 1901.

CHARLES SCHUCK,
Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

This Letter from your Son, H. H. the Sultan of Hadji Jamalul Kiram, to my Father, Colonel Sweet, governor of Jolo:

I am depending upon you, and especially upon the President, to assist me and my people in all our troubles, if you really, as we have no doubt, love us as your children. As you have many ships of war, I beg you to let me have the loan of one of them, with all its appurtenances complete, guns, etc., and with it I shall fight those who are opposed to the welfare of my country and my people. The treaty says that without the sanction of the governor-general the introduction of firearms is prohibited; therefore I come to you for assistance. I can not allow that all my orders for the good of the country and the people are constantly opposed by the datos. I can not delay to give ease to my subjects, and I trust you will assist me. I have no one else to help me but the American nation, and no one else has a right to do so. I am depending upon my American friends, who are the father and the mother of the Sulu people. If you grant me my request, I will pay all the expenses. If you have no ship to give me, I beg you to lend me 100 rifles, which I shall return you after the fight, and I will

pay for the ammunition I use. That is how the Spaniards treated me when they were here, but I know you love me more than the Spaniards did and your desire and power to help me is greater than theirs.

Greetings and best wishes to you, and may Allah grant you long life and happiness.

Written this 20th day of Rabi Alawal, 1319—July 7, 1901.

CHAS. SCHUCK,
Official Interpreter and Translator.

A true copy.

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

This Letter from your Son, His Highness the Sultan of Haji, Mohamad Jamalul Kiram, to my Father, the Governor of Jolo, Colonel Sweet:

I beg to inform you that Hadji Tahir has gone out to fight the people who have come to fight for me. I depend on his obeying your orders not to fight, but I see that he is acting contrary to your orders, therefore he is a bad man. He is not satisfied to be allowed to remain neutral if he does not wish to fight for me, but he must needs fight me and the people who are loyal to me. So, not only Dato Joakanain is interfering with my government and is creating disturbance, but also Hadji Tahir. Therefore do not be offended if I and my people should punish him at any time; also do not be offended if I ask you not to interfere in this matter, and please do not believe him if he should tell you anything.

Greetings and best wishes to you, and may Allah grant you long life and happiness.

Written this 9th day of the moon Rabi Alachir, in the year 1319—25th July, 1901.

CHARLES SCHUCK,
Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, August 3, 1901.

To His Highness the Sultan of Jolo, from his Brother, Colonel Thompson, Governor of Tiange, greetings:

I have been informed that Panglima Hadji Tahir wishes to surrender, but they won't let him. Please see that his surrender is accepted and that he is not punished. This according to your agreement to us through Mr Schuck.

Very respectfully,
J. M. THOMPSON,
Colonel Twenty-third Infantry, Military Governor.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

This letter as a token of truth comes from your brother, Dato Mohamad Amilhussin, to his brother the governor of Jolo:

I beg to inform you that it was understood between the governor of Siassi, Major Sweet, and myself that I and my followers should take no active part in the fight between the sultan and Joakanain. The governor and I were trying to do that which was best for them, but they would not take our advice. Now that they have made peace, actions are being taken against my followers. The Panglima is fined \$1.000, the people \$50 each, and if they don't pay this they will be fought. In fact, actions have already been taken against them; they have been fought and been taken from. My people resisted because they are poor, and they are in my care. If you will help me, and especially the poor, I beg you to show it, because we are already in trouble. The fight took place on Wednesday at 6 o'clock in the evening.

Greetings and best wishes to all of you.

H. H. DATO MACHAMAD AMILHUSSIN.
CHARLES SCHUCK,
Official Interpreter and Translator.

No date.

Received September 28, 1901.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, *September 28, 1901.*

To His Highness the Sultan, greetings:

Word comes to me that Maharajah Amilhussin, because of his neutrality in the quarrel between your highness and Dato Joakanain, in maintaining neutrality, acted under orders of the district commander given July 5 to all datos outside the island of Jolo that the fighting must be confined to Jolo Island. You will thus see that Dato Amilhussin was not in fault, and any action against him or his followers because of their having obeyed to preserve peace can not be looked on with favor.

When peace was agreed upon between your highness and Joakanain, it was hoped that all trouble was over and that it would not be perpetuated.

Please interfere at once and use your good offices to bring about a friendly state throughout the island of Lugus.

Very respectfully,

C. A. WILLIAMS,
Major, Seventeenth Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, *September 28, 1901.*

To Maharajah Sarapuddin, Greetings:

I regret to learn that there are further troubles resulting from the fighting between His Highness the Sultan and the datos over in Jolo.

I have written at once to His Highness the Sultan, explaining that the governor has ordered all datos outside of Jolo Island to be neutral in order that war might not be general and the people of other islands might live in peace.

You must therefore suspend fighting until you hear more from the Sultan and not molest Dato Amilhussin.

Very respectfully,

C. A. WILLIAMS,
Major, Seventeenth Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, *September 28, 1901.*

To Dato Mohamad Amilhussin, Greetings:

Your letter reporting the trouble in your island has been received.

I sent a letter to His Highness the Sultan, and also one to Maharajah Sarapuddin, in which I have explained that in remaining neutral you acted under orders of the governor, communicated in letter of July 5, who desired to prevent the great disasters which would have resulted had the fighting extended throughout the archipelago. I trust no other action will be necessary.

Very respectfully,

C. A. WILLIAMS,
Major, Seventeenth Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, *July 7, 1901.*

The ADJUTANT, *Jolo, P. I.*

SIR: I have the honor to submit the following statements in regard to the killing of the Moro boy, Ebid, that took place on the morning of July 3, 1901.

Statement of the Moro boy, Asakil, uncle of Ebid: "Ebid and I had been watching a palay field all night. Toward morning I fell asleep. Ebid woke me up shortly, saying that two men had entered the field and stolen a jack fruit. We immediately went in the direction the robbers took, and when about 60 feet from the beach overtook the two men who, when they saw us, suddenly turned and made an attack upon us with barongs. They attacked Ebid. I was scared and ran away to the house for help. When we, i. e., several of us returned, we found Ebid's body lying in the water. He was dead. I did not know the men at the time; I do not know them now—have no knowledge of

they might live. I was sent to Sarawakee to notify relatives of Ebid's death and to have them prepare a grave for the body. Ebid died at 5 o'clock p. m., July 3, 1901. The men were walking and we overtook them. I do not know why they attacked unless they thought they were going to be arrested. I am positive both men killed Ebid."

Ebid's father, Eding, stated that there were 9 wounds on the body of Ebid. We know who the robbers and murderers were by the boat left. The wounded Moro, Ynania (now in hospital), makes the following statement:

On the night of July 2, 1901, my brother Kadjamania and I were sleeping. Toward morning we arrived off Punta Bella. Being very hungry, I proposed that we go ashore and get some mangoes. After getting the mangoes we returned to the beach and were skinning them, when we were suddenly set upon by two men armed with borongs, who told us at the same time our last hour had come. Kadjamania to run away, which he did, wherefore one of the attacking party also ran off; the party remaining continued his attack on me, and after having been wounded three times I drew my borong and retaliated, killing him. I then made my way toward home, overtook Kadjamania before reaching home.

Upon arrival at our house I informed my father of the killing. I do not know who the man was I killed, do not know his name now, but am informed that he was a distant relative, but no name was given." Kadjamania corroborates this statement up to the time he ran off. I did not see the killing; he did not know the men who attacked me, neither does he know who they are at this time.

In the above statements there appears to be considerable difference of opinion as to how the fight actually took place, but from the statements of the boy Asakil, who appears to be telling the most probable and truthful story, it is shown, to my mind, that Ebid was killed by both Ynania and Kadjamania. The story of Ynania is improbable and, in my opinion, is a base fabrication.

I respectfully recommend that Ynania and Kadjamania be held responsible for the murder of Ebid.

Very respectfully,

ARTHUR P. WATTS,

Second Lieutenant, Twenty-third Infantry, Provost-Marshal.

True copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO, P. I., July 7, 1901.

ADJUTANT, Jolo, P. I.

I have the honor to submit the following statements in regard to the killing of the Moros Kadja and Ynu on the date July 3, 1901. Ynania, son of Kadja, states the following:

At 3 p. m. on the same day that my brother killed the man near Punta Bella, as well as the two others situated near it, was surrounded by about 30 men. They first shot my uncle, Ynu, who was trying to hide a carabao, then killed him several times. They then raided and robbed the other two houses, leaving our house alone. They then fired five shots into our house and left. Kadja,

who is my father, went out to see what had become of my brother's horse, when the raiders, returning suddenly, caught him and put him to death by first shooting him and then slashing up the body. The robbers took off one horse, one carabao, one muzzle-loading rifle, one barong, one kris, bedding, clothing, and food. I think the people who did the robbing were from Sarawakee, as I understand the dead boy had relatives at that place. I do not know where Sarawakee is—just heard of it, nothing more. I did not know any of the raiders, neither can I say to what chief they belong. Our house is about a mile from the south blockhouse. We are Panglima Sabdani's people, who lives at Putig, on Tumantangis.

Monona, mother of Kadjamania, makes the following statement:

In the afternoon of July 3, 1901, about 50 men came to our house and shot Ynu, then stabbed him, robbed the houses, and then shot and killed my husband, Kadja. I don't know why this was done; I recognized three of the men. They were Bahatul, Salaman, and Ambuting, who live at Sarawakee. This is all I know about it.

Ynania, the wounded man, says he knows nothing, as he was at the time lying in his father's house, which for some reason the robbers overlooked.

Emil Hunan, uncle of Kadjamania, states that he lives about one-half mile from where the killing took place; that he saw the dead bodies, and saw the raiders leaving. He has since heard that Bahatul, chief man of Sarawakee, Salauan, and Ambuting were among the raiders. Batu-Batu people told him Eding, father of Ebid, stated that Bahatul told him that Kadja and Ynu fired on his party first. He did not know who else was in the party.

Bahatul and his men live in Sarawakee and belong to Panglima Tahir, who lives in Silancan, and Maharajah Ammad, who resides in Lanao.

Very respectfully,

ARTHUR P. WATTS,

Second Lieutenant, Twenty-third Infantry, Provost-Marshal.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

[Cablegram.]

O. B. JOLO, *July 7, 1901.*

FOUNTAIN, *Zamboanga:*

Decision requested under article 9 of treaty as there is not government of sultan and he has so far failed to punish criminal. On 3d instant a Moro murdered another Moro in a case of robbery within limits post of Jolo. Can military commission try murderer, considering article 9 cited in treaty?

SWEET.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

[Cablegram.]

ZAMBOANGA, *July 10, 1901.*

SWEET, *Jolo:*

The department commander is of the opinion that the Moro charged with murder and robbery of another Moro on 3d instant should be delivered up for trial and punishment to the government of the Sultan,

under article 9 of the Bates agreement. The crimes having been committed within the limits of the post of Jolo, it is the right and duty of the military authorities to require some sufficient assurance that the accused will receive proper trial within reasonable time, and, if found guilty, punished.

FOUNTAIN.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

Under direction from division headquarters, an attempt was made to have the Sultan amend article 9 of the Bates agreement, as per letter dated Headquarters Division of the Philippines, Manila, P. I., July 25, 1901. Due to the fact that war existed on the island of Jolo, the Sultan could not be seen until August 27, when he came to Jolo at request of the district commander, but was not prepared to agree to the amendment until he had consulted the chiefs. He wished two weeks delay, but was told this was impracticable. The adjutant was to go to Maibum with the papers in three days for his signature. The Sultan sent word on his return to Maibum that he would come in, but has failed until September 19, when he came to Jolo, saying he had not consulted his chiefs yet. Some he had consulted did not see how the agreement could be changed. Long arguments were held with the Sultan, trying to show him the advantage he would gain. He did not absolutely refuse to sign, but wished delay. He said when he had consulted his chiefs he would let the commanding officer know his decision. Would recommend that a letter be written him on the subject.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, September 11.

To His Highness the Sultan of Jolo, from your brother, the governor of Tiange, greetings:

The governor of British North Borneo transmits the following complaint of one Hatib Ismailah, who resides at Sandakan. (Complaint contained in inclosure No. 1.)

The complaint was referred to the governor of Bongao for investigation, who reports as follows. (Report contained in inclosure No. 2.)

I request that you inform me whether you know anything about this case, whether Unggas's statement is true that you gave orders that no persons should collect gutta in Tawi-Tawi except with your permission, and whether Unggas and Datto Maulana acted under your orders when they seized Ismailah's boats and effects.

W. H. W. JAMES,

Major, Twenty-third Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

COMPLAINT OF HATIB ISMAILAH, OF BORNEO, TRANSMITTED THROUGH THE GOVERNOR OF BRITISH NORTH BORNEO.

Statement of Hatib Ismailah.

About nine months ago I, with 11 friends, went to Sinmuol and thence to Tawi-Tawi to work gutta. I got permission from Datto Maulana, of Tawi-Tawi, to search for any gutta in his land. I left all my goods in my prahu. During my absence in the jungle my prahu was seized by Unggas, a blanging (pirate), together with my goods and gutta, which I had collected and moved to the prahu. When Datto Maulana heard this he took the prahu, etc., from Unggas. There were 19 bars of gutta. I went to Datto Maulana and asked him to give back my property, but he refused, saying that he detained it because I had entered his land without previously asking his permission. I informed him that had he not granted me permission I would not have entered the land. I went to him twice to get my goods, but without any result. I have done nothing wrong, so I returned to Sandakan. I hope the government will help me in recovering my property.

HATIB ISMAILAH.

Declared before me.

ALEX. COOK, *D. O.*

SANDAKAN, *May 29, 1899.*

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

Indorsement of the commanding officer, Bongao, P. I., on letter of complaint of Hatib Ismailah, of Borneo, which was referred to him for investigation and report.

[Second indorsement.]

BONGAO, P. I., *August 26, 1901.*

Respectfully returned to the adjutant-general, third district of Mindanao and Jolo. I have sent for both Dato Maulana and the man Unggas, but have not been able to get either of them here. Dato Maulana claims to be sick, and the man Unggas has run away somewhere and is no longer on this island. I have not been able to learn anything about the case except from rumor. The man Unggas claims that Ismailah, of Borneo, had no authority to hunt gutta; also that he was aware of an order of the Sultan's to the effect that nobody should hunt gutta on Tawi-Tawi without his (the Sultan's) permission. I presume that the man Unggas and Dato Maulana divided the property taken between them. All this occurred before the Americans came to Jolo. Dato Maulana lives in Tambagaan, northeast of Tawi-Tawi, and more than 50 miles from here. If the launch is sent here and made available for two days, I can get the dato and take his statement. It is not safe at this season of the year to attempt to take soldiers up there in a small boat.

The man Unggas is reported to have gone to Maibum to see the

an about this matter when he found out I wanted to see him (Unggas). Unggas also claims that when he seized Ismailah's effects he told him of the Sultan's orders. Unggas claims that the Sultan's orders had been received by the Moros in Tawi-Tawi, but he states Ismailah claims that he had not heard of the order and that had he heard of the order he would not have violated it.

There is only one way to get at the truth of the matter, and that is to get the parties together. If Ismailah is brought over from Bongao, other two men can be gotten in a day or two with the launch. I have kept a copy of the complaint for future reference.

R. C. CROXTON,
Captain, Twenty-third Infantry, Commanding.

True copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

A letter from your brother His Highness the Sultan Hadji Mohamad Ibrahim to my brother, the commanding officer, Tiange, Solo:

I beg to inform you that I already knew of the complaint made by Hatib Ismailah and have sent for Dato Maulana and Unggas to find out if said complaint is just. I have also received a letter from the Governor of Borneo referring to this case. The Tawi-Tawi people have orders from me to the effect that nobody is allowed to search for gutta in Tawi-Tawi without a token from me. The action of Unggas and Dato Maulana toward Hatib Ismailah I know nothing about, and therefore I sent for them to make inquiry. Unggas has been here and has surrendered. I have ordered him to return half the value of the prahu, which he has handed to me, and Dato Maulana to pay half the value of the prahu and the full value of the goods it contained. I have sent for Dato Maulana and the goods, and Jemad Alachir, 1319.

September 16, 1901.

CHARLES SCHUCK,
Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

HEADQUARTERS, THIRD DISTRICT OF MINDANAO AND JOLO,
Jolo, Jolo Island, September 22, 1901.

His Excellency the GOVERNOR OF BRITISH NORTH BORNEO,
Sandakan.

SIR: Referring to my letter of the 10th instant, regarding the complaint of Hatib Ismailah, I have the honor to inform you that this complaint, as well as the relative import of the commanding officer, Bongao, copy of which was furnished you, has been brought to the Governor's notice. The latter stated that the Tawi-Tawi people have orders from him to allow nobody to search for gutta in Tawi-Tawi without a token from him, but that he has had no previous knowledge of the action of Unggas and Dato Maulana toward Ismailah. Unggas only lately came to the Sultan, who informed me that he ordered

him to pay one-half value of the prahu and that Unggas has turned over this money to him. The Sultan also has informed me that he sent word to Dato Maulana to come to him and pay one-half value of the prahu and the full value of the goods it contained. It appears that the Sultan thinks it best that Ismailah come to him, so the value of the goods can be ascertained, and he has informed him that he will turn over the money after collection to Ismailah himself.

Very respectfully,

W. H. W. JAMES,
Major, Twenty-third Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

Indorsement on letter from court of first instance, Jolo, P. I., informing that information has been filed in this court by the fiscal of this judicial district, charging one Butu, a Moro, living on the island of Pangutarang, with theft of merchandise valued at \$250 Mexican, property of the Mohamet Casin, an Indian, and requesting detail of a noncommissioned officer to act as sheriff.

[First indorsement.]

HEADQUARTERS THIRD DISTRICT OF
MINDANAO AND JOLO,
Jolo, P. I., September 1, 1901.

Respectfully forwarded to the adjutant-general department of Mindanao and Jolo, requesting a decision as to the authority of a civil court to institute and try a case not referred to it by the military governor in places not under civil rule. This claim is made by the civil court under authority of paragraph 1, General Orders, No. 64, headquarters Division of the Philippines, series 1900, it being the contention that by said order civil courts wherever established were reinstated with all of their original criminal and civil jurisdiction, and that authority exists to exercise it in conformity with the rules of criminal procedure, subject to the authority of the commanding officer to reserve such criminal cases as he may deem expedient from the jurisdiction of civil courts and refer the same to military commission or provost courts. In other words, for a civil court to have jurisdiction of a criminal case it is not necessary that such case should be referred to it by the commanding officer; that such reference is in nowise a prerequisite to its jurisdiction may be taken away by a reference to a provost court.

The commanding officer believes that under paragraphs 5 and 8 of General Orders, No. 179, current series, Division of the Philippines, civil courts have no jurisdiction in any case not referred to it by the military governor. Also paragraph 4 of act No. 173, quoted in the same order, would indicate that in territory actually under military control the military governor "shall" decide what cases be tried in the civil courts. Also whether or not, under the conditions obtaining here, said court should be provided with an armed force to execute its orders, or whether, under article 9 of the Bates' agreement with the

sultan, which provides that "in all other cases persons charged with crimes or offenses will be delivered to the United States authorities for trial and punishment" he be given an opportunity to deliver the offenders.

Pending action upon this request efforts will be taken under article 9 of the agreement to have this man surrendered.

W. A. NICHOLS,
Captain, Twenty-third Infantry, Commanding.

A true copy.

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, *September 12, 1901.*

*To His Highness the Sultan of Jolo,
from his Brother the Governor of Tiange, Greetings:*

Complaints having been made to me of the theft of goods, rice, etc., to the value of about \$250 from one Mohamed Kasim by Dato Hamja and one of his followers, named Butu, both living on the island of Pangutarang, Mohamed Kasim not being a Moro subject, you are directed to deliver these two men to the commanding officer at Jolo for investigation and trial if necessary.

Very respectfully,

W. H. W. JAMES,
Major, Twenty-third Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

MOHAMED KASIM'S COMPLAINT.

On August 14 I was robbed of goods to the value of \$200.32½ (cloth, silk, and rice). The robbery occurred at Bait-Bait on the island of Pangutarang. These goods were taken to Orang Kayan Hassan by three men living in Dato Hamja's house. He saw the men take the goods and recognized them as men living in Hamja's house; thinks Butu was the name of one. Kasim followed trail of rice from place where it was stolen to Hamja's house. Orang Kayah Hassan's house was on the beach. Hamja's house is about 2 miles inland from his house.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

This letter from Your Brother, His Highness the Sultan Hadji Jamalul Kiram, to my Brother, the Commanding Officer, Tiange, Jolo:

Your letter relative to Mahamad Kasim's complaint has been received. I thank you very much for informing me about it. As you know the people who committed the theft, and as they live in Pangutarang,

which is close to Tiange, it would be best if you send for them and have them tried, so there won't be any delay in Mohamad Kasim getting back his goods.

Greetings and best wishes to you, and may you enjoy a long life.
2d day of Jemad Alachir, 1319. (September 16, 1901.)

CHARLES SCHUCK,
Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, July 21, 1901.

To His Highness the Sultan of Jolo from his Brother the Governor of Tiange, Lieut. Col. O. J. Sweet, Greetings:

Your letter and message with reference to the rifle stolen from the corral at Jolo was received. You say you know that the Moro Aperka stole the rifle and that the dattos have it. It is very easy to say a thing and very hard to prove it. Now, I want to know what evidence you have for this statement, as I want to recover this gun and see that the thieves are punished. The rifle that Panglima Hassan turned over to Joakanain is in my possession; also an American rifle captured by Joakanain from some of Panglima Hassan's men about a week ago. This gun has been in the hands of Moros for a long time and no report has reached me of the fact until after this capture. I want to know where this gun came from, why it was not turned in by your followers, and, further, I want the guilty parties punished. I have reported this stealing of rifles to the governor at Zamboanga; also my inability to recover these guns through you.

Your letter about gunboat and rifles has been forwarded to the governor at Zamboanga.

A good deal of trouble had arisen lately through Moros stealing children and selling them as slaves. The following is the result of an investigation in one case in which your great friend Maharajah Indanan is accused of being implicated. In a civilized country Maharajah Indanan would be killed or confined in prison for the rest of his life. The following is the statement of Hamdany and his father:

Hamdany, son of Imban, who lives at Kabun Maas, was stolen about four months ago from a creek on the right-hand side of Bud Comorai, called Tubig Mass Ussai. He was stolen by Isnani and Ahamad; Isnani is a brother of Maharajah Indanan. He was taken to Maharajah Indanan's house at Wuolo, and stayed there four nights. The Maharajah knew of his being there and hid him in his room himself. Some Mibun people took him to Lugus and sold him to Maharajah Sarapuddin; the Maharajah took him to Semnor and sold him. He was there one night when Captain Coxton sent for him to come to Bongao. The boy says he told Sarapuddin that he was a stolen boy. The father says he is a sultan man; that his boy was stolen some time in April; that he looked for him but could not find him. Says he is a free man and has committed no offense; he has not been tried or does not owe anyone a cent.

When you started to fight you said Indanan and others were going

t to fight Umballa, because he was a thief. I have always considered Maharajah Indanan the biggest thief on the island and the cause nearly all the trouble on the island. If Umballa is to be punished for stealing why does Indanan escape? I am afraid the Moro people are right in saying the thieves belonging to the Sultan's party are never punished.

Very respectfully,

O. J. SWEET,

Lieut. Col., Twenty-first Infantry, Military Governor.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

His Letter from your Son His Highness the Sultan Hadji Mohamad Jamalul Kiram to my Father, Colonel Sweet, Governor of Jolo:

I beg to inform you that your letter has reached me and that I understand its contents. With reference to your gun that was stolen from the corral, I beg to state that Maharajah Ahang and his son told me that Apuaka stole it and took it to the datos. I don't know who told Maharajah Ahang, or how he came to know about it. The gun that was captured also came from Joakanain. Panglima Hassan says that it was given to him recently, just before they separated. The gun was being brought to me so that I could return it to you, but then the fight took place. The man who had the gun was a friend of Joakanain. He went amongst them thinking that they would not harm him because they were friends; besides, he was one of Joakanain's followers—so Panglima Hassan says—but they killed the man and captured the gun. About the other gun which Panglima Hassan had, he turned it over to Joakanain about five months ago.

About the stealing of children, I am thankful to you for this information and in letting me know of the actions of the Moro people. When my present work is finished I will regulate matters all through Jolo—not only in the case of Maharajah Indanan, but everybody—especially all the datos. I want them to obey my orders, which are for the welfare of my subjects. My desire is to do that which is for the best interests of the people, and therefore I can not allow the datos to continue making trouble. Their idea is to take away the rights of persons who are greater than they are. I trust you will help me in my work—you who are powerful and strong—because if these trouble-seeking datos are subdued we will be able to govern our country in peace and to that which is for the best interests of the people, and I will follow your good customs. I depend upon you to advise me how to make our country progressive and the people prosperous after the datos are subdued.

Greetings and best wishes to you, and may Allah grant you long life and happiness.

Written this 8th day of the moon Rabi Alachir in the year 1319.

July 24, 1901.

CHARLES SCHUCK.

Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, JOLO ISLAND, *September 8, 1901.*

To His Highness the Sultan of Jolo, from his brother, the commanding officer at Tiange, greetings:

The military governor at Zamboanga directs that Selungan be arrested and sent to him for trial for offenses committed in Mindanao; also that the slaves brought to Jolo from Mindanao by Selungan on his last trip to Jolo be returned.

In order for me to comply with this, you will turn Selungan and the slaves over to me, so I can send them to Zamboanga. Selungan landed at Patotol with these slaves about three weeks ago. This man is not in the territory claimed by Joakanain, so you will not have any trouble in complying with this request, which is made under Article IX of the agreement.

This matter does not admit of any correspondence or argument. A prompt compliance is requested, so this man will not have a chance to escape.

Very respectfully,

W. H. W. JAMES,
Major, Twenty-third Infantry, Commanding.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

This letter from your brother His Highness the Sultan Hadji Mohamad Jamalul Kiram to my brother, the commanding officer, Tiange, Jolo:

I have received your letter referring to the order of the military governor of Zamboanga, and I understand its contents. I have sent for Selungan and for the slaves. Selungan told my messenger that if the delivery of the slaves had not been requested he would come at once, and if he was to be taken to Tiange or Zamboanga, even up to Manila, he would be willing to go, because he says he is innocent. It is true that slaves were brought, but they were not his. They belonged to his passengers, who have all gone back to their homes on Look and Patotol; but he will go back and look for them and tell them about it and bring them to me. He has not made his appearance yet, but I have sent for him again.

Second day of Jemad Alachir, 1319. (September 16, 1901).

CHALS. SCHUCK,
Official Interpreter and Translator.

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

JOLO, P. I., *September 25, 1901.*

The COMMANDING OFFICER,
Third District of Mindanao and Jolo.

SIR: I have the honor to inform you that on a recent trip of the Sultan's prime minister, Hadji Butu, to Jolo he complained to me officially about the collection of money under article 44, forestry

lations, saying that this was in violation of article 5 of the agreement. This complaint was made to me as secretary of Moro affairs, former district commander, Major Sweet, having notified the Sultan that I occupied that position. I delayed notifying you of this complaint, as when this conversation took place Hadji Butu spoke of making said complaint in writing. This has not been done so far, so we call this to your attention on account of the near departure of the Twenty-third Infantry.

Very respectfully,

W. H. SAGE,
Adjutant Twenty-third Infantry.

true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

of Dato Mahamad Batazza, September 17, 1901, and indorsement of the commanding officer, fourth district, Mindanao and Jolo.

COMMANDING GENERAL OF THE
DEPARTMENT OF MINDANAO AND JOLO:

The Paduca Dato Mahamad Batazza, Sultan of the Moros of the island of Paragua, having submitted to the sovereignty of the United States, America, with profound respect most humbly begs leave to

state that he has been recognized by the commander of the fourth district of his excellency's worthy command as Sultan (?). This employment and dignity he inherited from his deceased father, and therefore corresponds to him. This was conceded by the Spanish Government as an inherent right. In this employment he was paid 200 pesos per month as a pension—salary (!)—from Spanish Government funds. He now desires to be recognized by the United States Government in the same capacity and paid the same monthly salary, for he caused the sovereignty of the United States to be recognized by his subjects, and now as such Sultan, which title corresponds to him, unworthy though he be, he most earnestly requests that, should his excellency deem it just, his request be granted.

This is his request, and, knowing his excellency's notorious goodness, does not doubt that his request will be granted.

May God guard his excellency many years for the welfare of those he governs.

PUERTO PRINCESA, *September 17, 1901.*

[First indorsement.]

HEADQUARTERS FOURTH DISTRICT,
DEPARTMENT MINDANAO AND JOLO.
Puerto Princesa, P. I., September 24, 1901.

Respectfully forwarded to the adjutant-general, Department of Mindanao and Jolo, urgently recommending favorable consideration. It is suggested that an office be created for the chief dato by higher authorities, and he be duly paid a salary for such office. In this connection I desire to state that this dato has been the first to acknowl-

edge the American Government, and the Moros under his control have been very friendly to the Americans, and I desire to do all I can to impress them with the fact that the military authorities are desirous of meeting them halfway.

GEO. LE ROY BROWN,
*Major, Tenth Infantry, Commanding Fourth District,
 Department Mindanao and Jolo.*

A true copy:

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

Cablegram signed "Febiger," protesting against the prohibition of licenses and imposing of fines on persons gathering gutta-percha, dated Cottabato, October 19, 1901.

COTTABATO, October 19, 1901.

ADJUTANT-GENERAL, Zamboanga:

Requests that strong protest be made to civil governor at Manila by cable regarding order from Forestry Bureau of August 26 last, prohibiting letting of license and imposing fines of 25 per cent on persons gathering said products, as it most seriously disturbs the politico military government of this section and may lead to outbreak among the Moros who regard the lands they live on and their products which they have inherited from their ancestors who have had undisputed possession of them for hundreds of years, as their own lands, can not understand a fine for gathering the results of their own land. The tax on gutta-percha of 10 per cent has been enforced, but now the gathering of same is fined in addition and it is made an ex post facto law, as a shipment is now held up in Jolo on which the 10 per cent was paid here, demand being made there for the 25 per cent fine, news of this having been circulated.

I find since my return the native market at this place—Malabang—and other important points that have been encouraged and built up at much trouble and are a most civilizing influence are greatly falling off in attendance, and the natives are most surly. They say they do not know what to expect next, as the laws seem to them to change so often and are unjust from their point of view. I recommend that the 10 per cent tax only be imposed in Moro districts and, that where the 25 per cent fine has been imposed it be returned, and that the interests of civilization and justice that licenses never be given to outsiders for Moro lands and that the Moros be not required to take out licenses for the gathering of products from lands that have been in the possession of their families for generations.

FEBIGER.

A true copy.

S. W. FOUNTAIN,
Major, U. S. Cavalry, Assistant Adjutant-General.

I forward this for information. This matter has been made the subject of a special communication, by indorsement, of this date.

G. W. D.

OCTOBER 25, 1901.

Telegram from commanding officer, Jolo, in reference to arms secured by Moros through foreign channels.

JOLO, October 19, 1901.

ADJUTANT-GENERAL, Zamboanga:

Referring to yours October 15, am told it is almost impossible that arms and munitions be obtained through foreign channels. It is known to interpreter that ammunition has been obtained by Jolo Moros from Paglima Gadong of dato Mandi's people, living in Langlong, near Zamboanga, also from dato Kalum of Basilan, ammunition left by Spaniards.

WILLIAMS, Major.

ADJUTANT-GENERAL, Zamboanga:

Reported that at meeting of dato Calbi's last night it was decided to send three vintas to-night to dato Mandi to purchase 40 rifles and to ask him to join in uprising. If successful, cable to be cut at Zamboanga. I attach great importance to report. The horizon has looked dark to me since arrival. Sultan has never called, making one pretext or another; neither has dato Calbi. Jokanain came once with much swagger. Interpreter says Sultan once announced that Jokanain would make friends with him only on condition of uniting against Americans. Report from second source is that talk among the Moros to effect that Jokanain desires this. I send launch out to-night to lie in wait of boats to Zamboanga.

WILLIAMS, Major.

A true copy:

S. W. FOUNTAIN,

Major, U. S. Cavalry, Assistant Adjutant-General.

OCTOBER 25, 1901.

There has always been more or less trade in arms and ammunition among the Moros. I investigated this matter and found that there has been some traffic. The rumor of an uprising proved groundless.

G. W. D.

No. 2.

OFFICE OF THE CIVIL GOVERNOR OF THE PHILIPPINE ISLANDS,
Manila, P. I., November 23, 1901.

Maj. Gen. ADNA R. CHAFFEE, U. S. A.,

Commanding Division of the Philippines, Manila, P. I.

GENERAL: I have the honor to inclose for your inspection a communication from J. H. Grant, governor of the province of Leyte, inclosing a copy of Circular No. 2, issued by Brig. Gen. Jacob H. Smith, commanding Separate Brigade, with headquarters at Tacloban, Leyte. These papers came into the office of the executive secretary on the 13th instant, but by oversight were sent to the collector of customs for the Philippine Archipelago, and only reached me on yesterday.

It will be seen from a perusal of General Smith's order that he has

the civil or military government is paramount. We insist that the President of the United States, who is both your and our common superior, under whose authority both of us are acting, has, subject to his approval, reposed this authority in the Commission and not in the commanding general. Our reasons for this contention were fully stated by Governor Taft in two letters, one of date the 6th day of March, 1901, addressed to your predecessor, Maj. Gen. Arthur MacArthur, and the other to yourself on the 13th day of October. It is therefore deemed unnecessary to extend this communication by further elaboration on the subject. When the controversy between the Commission and General MacArthur upon this point arose the correspondence between Governor Taft and the General setting forth their respective positions was submitted to the Secretary of War, and he on the 19th day of June cabled to President Taft that the position assumed by the Commission was correct and in accordance with its instructions.

In the recent difference between yourself and the Commission growing out of the issuance of a writ of habeas corpus by the insular supreme court in the Brooks case, and which indirectly presented the question now being discussed in another form, President Roosevelt, upon being appealed to to determine the controversy, directed by cable that Governor Taft and yourself should if possible arrive at some basis of adjustment, which resulted in a settlement of that matter, embodied in appropriate legislation by the Commission, but nothing has emanated from either the President of the United States or the Secretary of War which leads us to believe that the position we have taken is unsound or otherwise than in strict consonance with our instructions. Indeed, it has been assumed by the Commission, in view of the correspondence between you and Governor Taft which resulted in this adjustment, that a basis had been reached controlling the relations of the civil and military authorities in the future and which would prevent further conflict.

We do not of course for a moment doubt that you are perfectly sincere in the position you have taken, nor do we mean to intimate for a moment or believe that were such a power vested in you it would be exercised save in furtherance of what you believed the highest and best interests of your and our Government. I am perfectly sure that if it were a mere abstract or academic question neither you nor the Commission would be found wasting time in its discussion; but such is not the fact.

The real situation which confronts both you and ourselves is that civil governments have been established covering the greater portion of these islands. In those territories are several military departments and numerous military posts. It is inevitable unless the lines of demarcation between civil and military authority are defined with reasonable certainty, and each remains within its own legitimate sphere, that innumerable clashes must occur, with consequent loss of prestige to American authority.

Several such clashes have already occurred; that they are so few in number is a striking proof of the patriotism and good sense of both the civil and military subordinate officials. But it needs no discussion to prove that it is unfortunate that they should occur at all, and that under some circumstances they might be disastrous. In any event and under the most favorable circumstances the effect of such conflicts,

ntinued, must be to make the civil administration appear weak contemptible in the eyes of the Filipino people, and, what is worse, destroy their belief in the sincerity of the utterances of the President of the United States and the Commission. The Commission has on many occasions in addressing the Filipino people called especial attention to that portion of the instructions of the President to the Commission which related to the establishment of civil governments, and pledged itself faithfully to carry out those instructions in both letter and spirit. It is believed by us that these utterances have been largely operative in inducing Filipino insurrectionists then in arms to cease further resistance. The Commission therefore stands firmly pledged in the most solemn way as far as may be in its power to make good what it has said, by inaugurating, when in its judgment the time is ripe therefor, civil government not only in name but in fact.

In view of these and other considerations which might be mentioned, we sincerely hoped that you will direct the revocation of Circular No. 2, so issued by General Smith, or at least its suspension until a conference can be had between yourself and the Commission looking to a modus vivendi, which will prevent the recurrence of future differences between us. You may rest assured, General, that this subject will be approached by the Commission with the sincere desire, if possible, of reaching a mutually satisfactory result. We feel that the interests which the American people have at stake in these islands are so large and vital to be unnecessarily impaired by disputes between military and civil authorities, representing as they do in the aggregate a direct attack upon American sovereignty in these islands.

Believing that you fully concur in this sentiment, I have the honor to be,

Very respectfully, your obedient servant,

LUKE E. WRIGHT,
Acting Civil Governor.

HEADQUARTERS DIVISION OF THE PHILIPPINES.

Manila, P. I., November 23, 1901.

1. LUKE E. WRIGHT,

Vice-Civil Governor of the Philippine Islands,

Manila, P. I.

Governor: I have the honor to acknowledge receipt of your letter of November 23 (which is evidently an error, as I received the communication yesterday afternoon, November 22) referring to the issue by General Smith of what is known to us as his Circular No. 2, curtailing trade privileges in the island of Leyte in consequence of the advantage taken of trade in that island by persons inimical to the United States authority and unfriendly to its enemies, to render support to the insurrection in Samar, led by one Lukban.

You refer to having made a call on me subsequently to receiving word from Governor Grant on the 13th instant that General Smith contemplated issuing the said circular. My recollection, with reference to that call, is that it referred particularly to what I may term the interest of Mr. Higginbottom, agent for the firm of Smith, Bell & Co., in the provisions of the circular of General Smith.

At the date of your call I had not received General Smith's circular, and its receipt was not known to me until November 18. You will note that the circular is dated November 6, therefore its publication was not contemplated on the 13th or later date, when you called on me, the circular had already been made.

I had, however, noticed reference to it in the newspapers and on the 9th telegraphed General Smith. (See inclosures "A," "B," and "C.") We have known for a long time that Leyte has been the source of assistance to the insurrection in Samar and that some means would have to be adopted to interfere with this assistance, but I have all the time desired that this might be accomplished without resorting to trespass on the civil government to a degree that would seriously affect its functions.

I may ask to be excused for not entertaining a large amount of sympathy for traders in the vicinity of active hostilities because of what is and has been going on in these islands, as it is well known that no inconsiderable part of the money paid out by them is forcibly collected from the people and turned over to the chiefs of the insurrection, notwithstanding every effort made to prevent it. In Leyte this has been done by officials of some of the municipalities, as I have heard and believe, which, if true, the civil government of that island is not entirely loyal to us; but that is no cause to discredit the theory of civil government or sufficient reason it should be upset in the island.

The morning following our conversation I telegraphed General Smith. (See inclosure D.) Copy of this dispatch was furnished you the same day. This I intended as conveying to you my action as covering our conversation, and supposed you would so understand the matter. It is also an answer to General Smith's request to me to secure the transfer of Leyte from civil to military control during the period of hostilities in Samar. General Hughes thinks the military situation would be improved by such transfer, but does not recommend it, because of interference with trade, a reason that no military man not an American would dare subscribe his name to, under the circumstances of the whole case. I understand, of course, that you, as governor, and the commissioners feel that I should have directed the immediate revocation of the order; but I beg you will look a little beyond what at first blush seems to be the right course to pursue from your standpoint, to the harmful effect which would result from such an order from me, viz, a substantial victory for the insurgent element because of a protest from Mr. Higginbottom about the curtailment of trade privileges.

It would seem from the letter of Governor Grant, also from the private letter from Captain Aver, in the absence of General Smith, that the latter consulted with the former concerning the circular, and that an agreement rather than a disagreement was arrived at. This is emphasized by the circular letter of Governor Grant to the presidentes and his letter to the executive secretary, all indicating a cordial understanding between your subordinate on the ground, Governor Grant, and mine, General Smith, so there can be no difference of opinion there. General Smith should not have inserted paragraph 3 and should have omitted the last sentence of his circular, as both assume to direct civil officers, which is improper and might be viewed as a serious infringement upon civil authority.

While I should have preferred General Smith to have adopted the

course of action indicated to him in my dispatch of the 16th rather than issue his circular, the latter already issued ought not be so abruptly terminated as to produce harm, but out of deference to your manifest wishes in regard to the matter I shall direct the circular be revoked, no matter what effect on the situation generally it may have. This, I think, will remove the objection to General Smith's action as regards Leyte, although I am unable to view his course in the light of serious harm in our mutual endeavors to establish peace in the archipelago.

In this connection I believe it important to state that Leyte pertains to the sphere of action of Lukban, he having taken it into his charge in August. His orders go there and are observed with considerable effect. It is hardly sufficient that we express satisfaction for apparant order on the surface only in Leyte, when there remains an unsatisfied duty to prevent assistance going to Samar to support the insurrection there. Will the civil government please stop this at once?

I inclose copies of all papers received by me bearing on the case.

I have the honor to be, very respectfully

ADNA R. CHAFFEE,
Major-General, U. S. Army,
Commanding Division of the Philippines.

[Corrected copy]

GENERAL ORDERS, }
No. 29.

HEADQUARTERS FIRST DISTRICT,
DEPARTMENT OF THE VISAYAS,
Tacloban, October 27, 1901.

All traffic by natives and others and all passing to and fro between Samar and Leyte is strictly prohibited until further orders. All natives found passing between these two islands or afloat on either shore will be fired upon and killed, if possible, whether on the Samar or Leyte side. All boats, with the exception of those enumerated in field orders No. 1, dated October 21, 1901, from these headquarters, found upon either the Samar or Leyte shore will be destroyed or used, if necessary.

By command of Brigadier-General Smith:

J. S. BATTLE,
Captain, Adjutant Eleventh Infantry,
Acting Assistant Adjutant-General.

FIELD ORDERS, }
No. 1.

HDQRS. IN THE FIELD, FIRST DISTRICT,
DEPARTMENT OF THE VISAYAS,
Catbalogan, Samar, P. I., October 21, 1901.

1. All barotas, bancas, or boats of any kind to be available for use on the waters off the coast of Samar or the adjacent islands under the same military control (except fishing boats, or those in the employ of the United States, or authorized by the military authorities) will be painted red, with the name of boat and home port thereon. Persons who desire to go out in such boats will procure passes signed by the commanding officer or adjutant of the military station at their home

port, which will show the nature of the business in which the owner is engaged, the number and description of the barota, banca, etc., the exact dates for which the pass is good, and the name of the passengers and crew entered thereon.

Passes not exceeding six at any one place, which will be numbered, may be given to well-known fishermen located in towns occupied by American troops, which will be good for the current calendar week. Holders of these passes will exhibit them to all gunboats in their harbor or in their vicinity, both on going out and on their return. On meeting a gunboat or on their approach they will proceed to it and exhibit their pass. Fishermen will be confined to narrow limits about the military post from which the pass is given; their boats need not be painted red, but by day shall show a white flag and by night a white light; and their passes shall prescribe the limits in which the boat is allowed to fish, and shall also show the names of the crew.

All commanding officers are requested to limit their passes to absolute necessities, and both army and navy officers are requested to take all possible precautions to stop illicit trade in rice, hemp, and other contraband of war.

All other barotas, bancas, etc., which are unpainted, without numbers, and without the name of the port at which the owner resides, found on the coasts of Samar, including the adjacent islands referred to above, except those in ports occupied by troops, will be considered contraband and will be destroyed or used, if necessary.

Towns, villages, hamlets, etc., in the vicinity of which signal lights or fires are exhibited will be subjected to the fire of gunboats and troops and should be destroyed.

By command of Brigadier-General Smith:

WALTER T. BATES,
First Lieutenant, Seventeenth Infantry,
Aid-de-Camp, Acting Adjutant-General.

Official:

J. S. BATTLE,
Captain, Adjutant Eleventh Infantry,
Acting Assistant Adjutant-General.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 23, 1901.

SIR: I herewith inclose copy of Circular No. 3, modifying No. 2, Headquarters Sixth Separate Brigade.

There was some trouble about getting food for the people of the inland towns, and I got General Smith to modify it.

The presidentes to which your telegram referred are held as prisoners of war and have been sent to Samar for trial.

Everything is moving along quietly now, and indications point to Capillis's surrender in the near future.

I start for the southern and western coast to-morrow and will be absent about a week.

Very respectfully,

J. H. GRANT,
Governor.

Hon. A. W. FERGUSON,
Executive Secretary, Manila.

[Inclosure.]

AR } HEADQUARTERS SIXTH SEPARATE BRIGADE,
 1. } Tacloban, November 18, 1901.

It seems to be a misunderstanding in some quarters as to the purposes of Circular No. 2, these headquarters. These purposes are: (1) Not to permit money to be put into circulation among the people of Leyte at the present time, and (2) not to authorize a greater accumulation of food supplies than are necessary for the proper sustenance of the loyal population of the island.

It in no way prohibits the accumulation in the hands of a few persons of hemp properly received in small amounts in exchange for goods, nor does it prohibit said merchants from bringing hemp thus received from Tacloban.

When duly authorized representatives of barrios distant from disbursement centers (stations of troops or constabulary) present themselves at such centers for food for their barrios, these representatives may be permitted to draw enough to last their barrios at least a short time.

The basis is laid upon the point that the brigade commander desires to permit proper food supplies to reach all friendly natives, particularly desires that these supplies do so reach them.

Command of Brigadier-General Smith:

W. E. AYER,
Captain, Twelfth Infantry, Adjutant-General.

A copy respectfully furnished Maj. Gen. Adna R. Chaffee, United States Army, commanding general and military governor in the Philippine Islands, Manila, P. I.

LUKE E. WRIGHT,
Acting Civil Governor.

VICE CIVIL GOVERNOR PHILIPPINE ISLANDS,
Manila, P. I., December 4, 1901.

FIELD HEADQUARTERS,
 FIRST DISTRICT, DEPARTMENT OF VISAYAS,
Calbayog, Samar, October 29, 1901.

ADJUTANT-GENERAL DIVISION OF THE PHILIPPINES,
Manila, P. I.

I have the honor to request that civil government upon the island of Leyte be suspended, and that the island revert to military rule until such time as the insurrection now existing in the island has been crushed.

I make this request on two grounds: First, because of the military necessities of the Samar insurrection; and, second, because of the condition of Leyte itself.

To arrive at a proper understanding of the situation it must be borne in mind that the two islands, Leyte and Samar, lie adjacent to each other, and for a distance of some 18 miles are separated only by the narrow Straits of San Juanico—a strip of water in many places little wider than the Pasig River of Luzon. To pass across this

separating water is the work of but a few moments for the native in his barota. The topography and the general character of the inhabitants of the two islands are substantially identical. It thus becomes evident that from the military standpoint these two islands become but one field of operations, divided in two parts by a body of water no wider than a river.

The people of Leyte are actively cooperating with and assisting the insurgents in Samar by sending food supplies, men, arms, and money across the Straits of San Juanico and by operating a system of signals to warn all parties of the approach of our gunboats. To the people of Leyte also must be given the credit for instigating and assisting in carrying out the barbarous assaults upon our forces at Balangiga and on the Gandara River, proven by the identified Leyte dead left upon both fields.

Again, under the present conditions vessels freely obtain a clearance from one Leyte port to another, and it is impossible to prevent this privilege from being used to supply the Samar insurgents with needed supplies and war material while the cleared vessels are passing through the straits. One such vessel recently captured was loaded with rice and lead, and when overhauled the crew were throwing the lead overboard.

When hard pressed the insurgents of Samar can pass over to Leyte by boats under cover of darkness; and so long as Leyte remains an asylum to which they may repair in security to rest and recruit, the difficulty as well as the cost in blood and treasure of stifling insurrection in Samar must necessarily be greatly increased.

It is well to note, in passing, that the life of Americans is far from being secure in Leyte. Only a short time ago an American soldier was assaulted in broad daylight in the capital of the island and his gun and equipments were secured and converted to insurgent uses.

There is also good reason to believe that the recent deplorable death of Ensign Noya at Nipa-Nipa was caused by a party which had been seen to cross from Leyte to Samar a short time before the incident occurred; and, further, I may state that armed opposition to the authority of the United States still exists in the island of Leyte.

For these reasons I deem it self-evident that military necessity dictates the course I propose, and I therefore submit the request in the conviction that its adoption will materially aid in quelling the insurrection in Samar and in laying the foundation for a more secure civil government in Leyte than is possible under existing conditions.

A copy of the foregoing has been forwarded to Headquarters Department of the Visayas.

Very respectfully,

J. H. SMITH,
Brigadier-General, U. S. Army, Commanding.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, November 8, 1901.

A. W. FERGUSON,
Executive Secretary, Manila.

SIR: I have the honor to inclose herewith for your information a letter from Mr. Higginbotham, agent for Smith, Bell & Co., and the

reply of General Smith, the said letter of Mr. Higginbotham having been forwarded to him for remarks.

Very respectfully,

J. H. GRANT, *Governor.*

A true copy:

GROTE HUTCHESON,
Captain, Sixth Cavalry, Military Secretary.

HEADQUARTERS SIXTH SEPARATE BRIGADE,
Tacloban, November 6, 1901.

Hon. J. H. GRANT,
Governor of Leyte.

SIR: Replying to your indorsement on letter of Mr. Higginbotham I have the honor to inform you that the same general instructions are being formulated for Leyte as for Samar, applicable to all traders. These regulations will be continued in force while insurrection exists in both islands. My object is to prevent the insurrectos from receiving money and food necessary for their continued existence. No discrimination or favoritism will be shown, and a rigid compliance with regulations established is enjoined upon all.

Very respectfully,

J. H. SMITH,
Brigadier-General, U. S. Army, Commanding.

A true copy:

GROTE HUTCHESON,
Captain, Sixth Cavalry, Military Secretary.

TACLOBAN, *November 6, 1901.*

Hon. J. H. GRANT,
Governor Province of Leyte.

DEAR SIR: I respectfully beg to bring to your notice that on Monday the 3d of the month the military commander of this district gave me direct verbal orders not to buy hemp on this island, i. e., Leyte, not to send money out to any subagents, but to call what was already out. Furthermore he told me I could not buy hemp on the open market in Tacloban or import more rice.

I respectfully beg your intercession in this matter, as none of my competitors have been put under the obligation.

I have paid my just taxes to do business on this island, and I respectfully beg to ask if there is any reason why I should not carry on same while conforming with the civil laws and at the same time not interfering with the military operations and abiding by their sublaws when issued.

I am, dear sir, very respectfully,

H. E. HIGGINBOTHAM,
Agent Smith, Bell & Co.

A true copy:

G. HUTCHESON,
Captain, Sixth Cavalry, Military Secretary.

TACLOBAN, *November 8, 1901.*

A. W. FERGUSON,
Executive Secretary, Manila.

SIR: I have the honor to inclose herewith for your information copy of Circular No. 2, Headquarters Sixth Separate Brigade, together with copy of my letter transmitting same to the municipalities of this province.

I desire to inform you that I had a long conference with General Smith before this circular was issued, and am satisfied that it will ultimately prove exceedingly beneficial to this province, although its provisions are somewhat contrary to the spirit of the civil law and are bound to cause a good deal of dissatisfaction just now.

With the exception of Biliran, where there have been no troops stationed and where the police have not been armed, I consider this province comparatively pacified and believe that if all the troops were withdrawn to Tacloban that the constabulary, when completely organized, could maintain and enforce the law.

I consider conditions here good.

Very respectfully,

J. H. GRANT,
Governor of Leyte.

[First indorsement.]

OFFICE CIVIL GOVERNOR PHILIPPINE ISLANDS,
Manila, P. I., November 13, 1901.

Respectfully referred, by direction of the acting civil governor, to the collector of customs for the Philippine Archipelago, to note and return.

A. W. FERGUSON,
Executive Secretary.

[Second indorsement.]

PHILIPPINES CUSTOMS SERVICE,
Manila, P. I., November 18, 1901.

Respectfully returned to the executive secretary of the Philippine Islands, duly noted. This office makes no comment upon the provisions of the within Circular No. 2, affecting coastwise trade in the island of Leyte, as the reasons given for imposing the terms of that circular are ones which involve a more general governmental policy than that of the customs service.

W. MORGAN SHUSTER,
Collector of Customs for the Philippine Archipelago.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, November 8, 1901.

The PRESIDENTES, PROVINCE OF LEYTE.

GENTLEMEN: I have the honor to transmit herewith copy of Circular No. 2, Headquarters Sixth Separate Brigade, for your information and guidance.

It is to be regretted that the friendly and loyal people have to suffer because of the resistance to constituted authority of a few guerrilla

lands who inhabit the mountains and not only annoy and disturb the peaceable citizens of this province, but aid and assist, by contributions of money and food, the insurrectos on the neighboring island of Samar.

Therefore it behooves all of us, and especially the civil officers, who have been honored by their countrymen and who enjoy the confidence and respect of the American authorities, to arouse themselves to greater activity and by one united effort bring these men to justice and let them understand that all good men are opposed to their methods of robbery and that they will not tolerate them.

In this way we will speedily remove the present restrictions that are placed on our commerce and this province will take its place as the first province in the archipelago.

The natural wealth and resources of this island, together with the intelligence of its inhabitants, make it easily the richest and best province in the Philippine Islands, and those of use who are interested in its welfare and who believe there is a great future in store for it, and who desire to see capital come into the province and develop its resources, desire to see all lawlessness and disorder quelled, that the blessings of liberty and peace in the fullest meaning of the words may come to the people of this province, and to this end we ask you to devote all your efforts that the disorderly element may feel the strong arm of the law to such an extent that they will not dare to disturb us again.

You will have this published in your municipality.

By order of the governor:

_____,
Secretary.

CIRCULAR }
No. 2. }

HEADQUARTERS SIXTH SEPARATE BRIGADE,
Tacloban, November 6, 1901.

During the existence of armed resistance to constituted authority upon the island of Leyte the brigadier-general commanding the military forces thereon is compelled to impose the following restrictions upon trade between the island ports:

1. Vessels are forbidden to load at ports, other than Tacloban, with crude or manufactured products in the procurement of which money will be put into circulation eventually to find its way into the insurrecto treasury. Supplies of hemp, etc., will not be destroyed, but must not be put upon the market at the present time.

2. Trade in rice and other food products will be reduced to a minimum, and such trade will be confined to ports in which are located military detachments, native scouts, and native constabulary. Vessels will not be cleared to any port in which there are none of these agencies to superintend the receipt and distribution of these food supplies, to the end that they may be used to subsist the peaceful and friendly inhabitants and not to sustain those inimical thereto. No objection exists to barter of rice for hemp, but rice thus obtained is limited in quantity to the actual subsistence needs of the parties receiving it.

3. It is made the duty of all persons representing the authority of the United States in this island to labor to effect the ends outlined in this circular.

4. Merchants and traders affected by this circular are invited to

hold a meeting and agree upon a line of action in consonance therewith, and their hearty cooperation is earnestly desired by the commanding general in the belief that the regulations promulgated are for the ultimate good of all concerned.

Any attempt at evasion of its provisions will, upon conviction, be severely dealt with.

By command of Brigadier-General Smith:

W. E. AYER,
Captain, Twelfth Infantry, Adjutant-General

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 9, 1901.

General SMITH, *Tacloban*:

Papers report you have closed all Leyte ports. Division commander directs, if this be true, you must be certain of evidence that they had been used to further insurrection in Samar. Better submit evidence here with recommendations before directing military control for all Leyte. Blockade east ports tight as you please to prevent communication with Samar. The necessity for this is apparent.

HALL, *Adjutant-General*

TACLOBAN, *November 10, 1901.*

HALL, *Manila*:

General Smith is in Samar away from wire communication; he has not entirely closed Leyte ports, but has limited trade to the food needs of the inhabitants. Clearances are daily made; evidence conclusive that Leyte ports have been and are being used to supply Samar. Civil government of Leyte has expressed approval of General Smith's action. I mail copy General Smith's instructions.

AYER, *Adjutant-General*

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 11, 1901.

HUGHES, *Cebu*:

General Smith requests suspension of civil government in island of Leyte, reverting to military control until insurrection in Samar is crushed. Division commander desires expression of your views.

HALL

TAGBILARAN, *November 13, 1901.*

HALL, *Manila*:

I do not think the advantage gained would justify suspension of civil government in Leyte. If it were to carry with it the closing of all ports in Leyte there would be very decided military advantage, but I do not advise that policy, for it would probably be overruled in Washington as it was when ports were opened. I have asked Smith for his argument, but have not received it.

HUGHES

HEADQUARTERS SIXTH SEPARATE BRIGADE,
Tacloban, Leyte, November 10, 1901.

ADJUTANT-GENERAL, U. S. ARMY,
Division of the Philippines.

DEAR COLONEL: Your telegram relating to General Smith's action on Leyte came this morning, and I replied at once, hoping to give you an outline idea of the situation. The General will reply when he reaches a point where a wire can reach him.

I question if the Leyte situation is fully understood in Manila. The civil governor has not force that he can control; his constabulary is only now being organized. Until the past week our scouts have been guarding his official residence. In the meanwhile there is a well-defined insurrecto body of unknown size operating throughout the island and under one Kapili. They fire upon our parties, threaten our small stations, and collect money, men, and supplies for Samar.

The Straits of Juanico, separating Leyte and Samar, are for 14 miles no wider than the Pasig River, and we are constantly catching men and rice going over. The straits are tortuous, full of islands, and exceedingly difficult to guard. In my own judgment we have neither men nor gunboats enough to stop the traffic altogether.

Now, it is well known that Lukban has Samar, Leyte, and Masbate as his field of authority, and nothing could suit his plans better than to fight on Samar and use Leyte and Masbate as sources of supplies. The latter island counts for little, but Leyte is quite another proposition. So long as he is allowed to recruit and collect supplies undisturbed in Leyte ways will not be wanting for him to transfer them across the straits.

Many times we have known of boats passing between Leyte ports to unload into barotas for Samar while passing through the intermediate waters. I firmly believe that not to limit food clearances from Leyte ports means an end to any attempt to cut off Lukban's food and war material.

And yet I believe the general is making headway. The difficulties in his way are very great. Wires for communication are almost wholly wanting, and any orders for concerted action have to be given by word of mouth after lengthy journeys by boat. The problems of supply are ever pressing. But, for all this, I feel sure that if Leyte could be bottled up and taken off the map the general would make short work of Samar.

Personally the general is in the field nearly all the time. He works incessantly and certainly deserves to win.

In closing, it is well to inform you that so far the most cordial relations have existed between the civil and military, and I think I am safe in saying that Governor Grant, of Leyte, approves all that General Smith has done.

Very respectfully, yours,

W. E. AYER,
Captain, Twelfth Infantry.

MANILA, November 15, 1901.

GRANT, Governor, Tacloban, Leyte:

Yours November 6 received. I commend the judgment and conservatism with which you have acted. Have no conflict with military, but keep this office fully posted as to situation, using wire freely when necessary.

WRIGHT, Acting Governor.

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 16, 1901.

Brig. Gen. JACOB H. SMITH, U. S. ARMY,
Tacloban, Leyte:

It is not good policy to withdraw provinces from civil column, and I must not ask for it save as a last resort, every other arrangement failure. I wish you would consult governor Leyte regarding trade restrictions his province. He does not seem to agree with your view regarding necessity so doing. Better we have agreement than division in opinions. Insist on the governor enforcing efficient nonintercourse relation by his people with Samar. Failure to do so will be our justification for military interference to insure that end, but we must have proof of the failure after due warning given to not allow communication. The situation of Leyte is precisely that of a neutral in war. Her government must be permitted to demonstrate efficiency. Proof of failure or impotency will be the natural ending of civil government for the province while hostilities continue in Samar. If civil government can enforce nonintercourse, best so; work heartily for that end.

CHAFFEE.

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 16, 1901.

Official copy respectfully furnished the vice-civil governor of the Philippine Islands, Manila, P. I.

ADNA R. CHAFFEE,
Major-General, U. S. Army, Commanding.

TACLOBAN, *December 2, 1901.*

FERGUSON, *Manila:*

Have just returned from west coast. Conditions, on my recommendation, all restrictions on commerce have been removed from Barugo westward to Litoan, including west coast of Biliran.

GRANT.

HEADQUARTERS OF THE PHILIPPINES CONSTABULARY,
Manila, P. I., December 11, 1901.

The EXECUTIVE SECRETARY,
Manila, P. I.

(Through the Secretary of Commerce and Police.)

SIR: I have the honor to send herewith an extract from letter of W. S. Conrow, treasurer of Leyte. The incident involved may be brought to your consideration through other channels, and I desire to give expression to Mr. Conrow's opinion.

Last night Dan Smith, the colored quartermaster teamster, got drunk and disorderly, and was arrested by the constabulary under charge of Inspector La Porte. Captain Blatchford came down with some soldiers and took the prisoner away from La Porte. Governor Grant has requested Captain Blatchford to come down and explain his action, and the governor is very hot about it. Blatchford is very bitter

against the civil government, but, so far as I know, prior to this time his spleen has ever before been vented before the other officers. I am told that he is continually making disparaging remarks about the government that exists in this archipelago.

The following telegram has just been received from Conrow:

General Smith admits Leyte pacified. All restrictions to trade taken off. Troops to be withdrawn from Jaro, Alang Alang, Palo, Carigaro, Dagami, Malitbog. More arms and ammunition for municipal police necessary at once, as shotguns are nearly all in bad order and I have very little ammunition.

CONROW.

The following telegram just received from Captain Baker:

Can hold Union, Benguet, Bontoc, Lepanto, and Abra without troops.

BAKER.

The following telegram from Inspector Patstone:

Arrived this morning. Corporal Hanson captured a band of ninety ladrones; restored twelve carabaos. Ladrones now in provincial prison. Chief's name Andres Apalapi.

PATSTONE.

The following telegram is from Inspector Crawford:

If we have complement of 150 men, can hold Southern Camarines without military. Would not advise the withdrawal of military from North Camarines during Samar trouble. After that, yes.

CRAWFORD.

The following telegram from Inspector Yambert:

Candelaria was attacked by insurgents 5.30 December 10. Eight insurgents killed, no guns captured. No casualties on our side. Twenty American soldiers and 5 constabulary defending town.

YAMBERT.

The above is respectfully submitted.

HENRY T. ALLEN,
Chief Philippines Constabulary.

No. 3.

MALOLOS, P. I., November 7, 1901.

THE CIVIL GOVERNOR OF THE PHILIPPINES,
Manila, P. I.

SIR: The arrest of Fausto Bihasa having been ordered by the justice of the peace of the pueblo of Santa Maria, as appears from the attached copy of an order for the imprisonment of said party issued by said justice of the peace, designated No. 1, the arrest was made by the president of said pueblo, and just as said Bihasa was being sent to my care the commanding officer of the military detachment of Santa Maria stopped the transfer, taking the person of said Bihasa out of the possession of the said president, although he (the commanding officer) had previously been shown my circular order in regard to arrest, as is proved by the copy of the communication of said president, designated No. 2 and attached hereto.

In view of the gravity of the case, I forwarded said communication

to the provincial fiscal for his opinion, copy of which, designated No. 3, is also attached herewith.

In spite of the fiscal's opinion, I have deemed it proper to place this matter before you, etc.

JOSÉ SERAPIO,
Provincial Governor.

GOBIERNO PROVINCIAL DE BULACAN,
Malolos, I. F., Noviembre 7, 1901.

Hon. Señor GOBERNADOR CIVIL DE FILIPINAS,
Manila, I. F.

SEÑOR: Reclamada la captura de Fausto Bihasa por el Juzgado de Paz del pueblo de Santa Maria segun se ve en la adjunta copia de una orden de prision de dicho Juzgado designada con el No. 1, ordene su aprehencion, la cual verificada por el Presidente del referido pueblo y en el momento de ser remitido dicho Bihasa a mi autoridad, el Teniente Comandante del Destacamento Militar de Santa Maria suspendio la remision sacando la persona del mismo del poder del citado Presidente, no obstante haber este demostrado mi circular sobre su captura, como se acredita por la copia de la comunicacion del repetido Presidente designada con el No. 2 que adjunta acompaño.

En vista de la gravedad del asunto pase dicha comunicacion al Sr. Fiscal Provincial para su dictamen cuya copia designada con el No. 3 adjunta tambien acompaño.

Sin embargo del dictamen fiscal, he creido conveniente poner este asunto en conocimiento de esa autoridad superior, como me permito verificado por la presente a fin de que en su vista se digne acordar lo que estime procedente y para que en lo sucesivo sepa la conducta que debo observar en el caso presente.

Saludandole respetuosamente se reitera a sus ordenes atento y obediente,

JOSÉ SERAPIO,
Gobernador Provincial.

EXHIBIT 1.

COURT OF JUSTICE OF THE PEACE OF SANTA MARIA.

To every officer of the law, greetings:

I hereby order you to arrest the person of Fausto Bihasa, accused before me of offenses against the authorities and others, and to bring him before my presence as soon as possible, in order that the law may take its course.

Given to-day, October 19, 1901.

MARIA NO DE JESUS,
Justice of the Peace.

NUM° 1.

JUZGADO DE PAZ DE SANTA MARIA.

A todo Funcionario de la ley, salud:

Por la presente se os ordena aprehender a la persona de Fausto Bihasa acusado ante mi del delito de atentado contra la autoridad y otros y

aerle a mi presencia a la mayor brevedad para que se le aplique la y como sea procedente. Dado hoy 19 de Octubre de 1901.

MARIANO DE JESUS [RUBRICADO],
Juez de Paz.

Es copia.

SERAPIO.

EXHIBIT 2.

SANTA MARIA, *November 1, 1901.*

PROVINCIAL GOVERNOR OF BULACAN.

SIR: I have the painful duty to inform you that this morning, the police of this municipality being in readiness to transfer to your presence the person of the accused party, Fausto Bihasa, under proper guard, said party having been arrested by my orders the afternoon of yesterday in the drug store of Mr. Sinforoso Almonte, of this place, in accordance with the instructions of your circular under date of the 25th ultimo, the commanding officer of the detachment in this pueblo ordered me to suspend the remission, taking out of my possession the said prisoner, in spite of the fact that I showed him said circular. Which I communicate to you that the proper steps may be taken.

Very respectfully,

MAXIMO DE JESUS.

NUM° 2.

SANTA MARIA, *1° de Noviembre de 1901.*

GOVERNADOR PROVINCIAL DE BULACAN.

SEÑOR: Tengo el sentimiento de dar parte a V. que en esta mañana, estando preparado la policia de este Municipio para conducir en ese respetable Gobierno la persona del procesado Fausto Bihasa con las diligencias de aprehension aprehendido por orden mia en la tarde del día de ayer en la Botica del Sr. Sinforoso Almonte de esta poblacion, en cumplimiento de la orden circular de V. de fecha 25 del mes ultimo; y el Sr. Teniente Comandante del Destacamento de este pueblo, me ordeno la suspension de dicha remision sacando a mi disposicion el citado procesado a pesar de haberle demostrado dicha circular. Lo que pongo en conocimiento de V. para los efectos oportunos.

De V. respetuoso servidor,

MAXIMO DE JESUS [RUBRICADO].

Es copia.

JOSÉ SERAPIO.

EXHIBIT 3.

OFFICE OF THE FISCAL,
PROVINCE OF BULACAN, MALOLOS, P. I.,
Malolos, November 5, 1901.

The fiscal has informed himself of the contents of the preceding exhibits of the municipal president of the pueblo of Santa Maria of this province in regard to the arrest of Fausto Bihasa, who, while being sent to the authorities here by the orders of the said president, was seized by the commanding officer of the detachment in said pueblo, due

to which act the remission was not accomplished. In view of the arrest and detention of said Fausto Bihasa at the orders of the provincial governor by reason of a communication received from the justice of the peace of the said pueblo of Santa Maria on the ground that said Bihasa was charged with certain offenses against the law, which the proper judge is at present investigating according to the due legal forms, the proper course to follow is to communicate the facts to the commanding officer of said pueblo of Santa Maria, in whose possession the said Bihasa must now be, demanding that said prisoner be turned over to you or placing said accused at your (or his) disposition as guilty of the crimes of which he is cognizant.

MARIANO CRISOSTOME,
Provincial Fiscal.

Office of the fiscal of Bulacan.

NUM. 3.

OFFICE OF THE FISCAL,
PROVINCE OF BULACAN, MALOLOS, P. I.,
Malolos, 5 de Noviembre de 1901.

El fiscal, habiendo visto el anterior parte del presidente municipal del pueblo de Santa Maria de esta provincia, sobre la aprehencion de Fausto Bihasa, de cuya remision a este Gobierno, cuando se estaba disponiendo por el citado Presidente, se apodero de el, el Sr. Teniente Comandante des destacamento de dicho pueblo, por cuyo acto, quedo sin efecto dicha remision. Y en vista de que la captura y aprehencion del citado Fausto Bihasa, que lo ha dispuesto el Sr. Gobernador Provincial, en virtud de una comunicacion del Sr. Juez de Paz del citado pueblo de Santa Maria, por resultar dicho Bihasa, acusado de ciertos hechos punibles, por los que, el propio Juez se halla practicando las oportunas diligencias de investigacion; procede se le de cuenta de lo ocurrido, en cumplimiento de su mencionada comunicacion, para que a su vez, si lo estima procedente, reclame la persona de dicho Bihasa del Sr. Teniente Comandante del referido pueblo de Santa Maria, en cuyo poder debe encontrarse ahora, o que se le ponga a su disposicion, como tal acusado de hechos de que esta conociendo el mismo.

Respetuosamente.

MARIANO CRISOSTOMO [RUBRICADO],
Fiscal Provincial.

Hay un sello que dice, Fiscalia Provincial de Bulacan.
Es copia.

JOSÉ SERAPIO.

MALOLOS, P. I., *November 7, 1901.*

JOSE SERAPIO, GOVERNOR OF BULACAN:

States that the arrest of Fausto Bihasa was ordered by the justice of peace of Santa Maria, and that the commanding officer interfered and stopped the presidente of the Pueblo from transferring the prisoner to him.

[First indorsement.]

OFFICE OF THE CIVIL GOVERNOR
OF THE PHILIPPINE ISLANDS,
Manila, P. I., November 19, 1901.

Respectfully referred to the commanding general and military governor in the Philippine Islands, with the statement that if the facts set forth herein are true the commanding officer at Santa Maria manifestly overstepped his authority, and with the request that investigation be made, and, if the man is still held by the military authorities, he be turned over to the civil authorities.

LUKE E. WRIGHT,
Acting Civil Governor.

[Second indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 23, 1901.

Respectfully referred to the commanding general, Department of Northern Luzon, Manila, P. I., for investigation and report of facts.
By command of Major-General Chaffee:

J. T. KERR,
Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS DEPARTMENT OF NORTHERN LUZON,
Manila, P. I., November 25, 1901,

Respectfully referred to the commanding general, Second Separate Brigade, San Fernando, Pampanga, for investigation and report.
By command of Major-General Wheaton:

LOUIS H. BASH,
Aid-de-Camp.

[Fourth indorsement.]

HEADQUARTERS SECOND SEPARATE BRIGADE,
San Fernando, P. I., November 27, 1901.

Respectfully referred, through the commanding officer Third Infantry, Malabon, P. I., to the commanding officer Santa Maria, Bulacan, for immediate report with return of these papers.

By command Brigadier-General Bisbee:

E. V. SMITH,
Captain, Fourth U. S. Infantry,
Acting Assistant Adjutant-General.

[Fifth indorsement.]

HEADQUARTERS THIRD INFANTRY,
Malabon, Rizal, P. I., November 28, 1901.

Respectfully transmitted to the commanding officer Santa Maria, for compliance with fourth indorsement.

By order of Colonel Page:

W. R. SAMPLE,
Captain, and Adjutant Third Infantry.

[Sixth indorsement.]

SANTA MARIA, BULACAN, P. I., *December 2, 1901.*

Respectfully returned to the adjutant Third Infantry, Malabon, Rizal, P. I.

A full report attached and marked "Exhibit 3."

PHILIP E. M. WALKER,
*First Lieutenant, Third Infantry,
Commanding Station.*

[Seventh indorsement.]

HEADQUARTERS THIRD INFANTRY,
Malabon, Rizal, P. I., December 3, 1901.

Respectfully returned to the adjutant-general Second Separate Brigade.

In order to obtain immediate report required by fourth indorsement this paper was not referred through battalion commander, but as stated by Lieutenant Walker in his report, it is well known to me that Captain McRae will corroborate the statement of Lieutenant Walker and indorse his action.

Suspicion of duplicity has for a long time attached to the governor of Bulacan Province. I therefore sustain and commend the action of Lieutenant Walker, and recommend that in justice to the military the conduct of this governor be thoroughly investigated.

It would seem to be a very inopportune time for the civil government to hold the upper hand over the military, especially when the former is administered by such a man as the governor of Bulacan is generally believed to be, as unscrupulous civil officials would have it in their power to persecute at will, as in this case, natives friendly to the Americans and loyal to American Government.

JOHN H. PAGE,
Colonel, Third Infantry, Commanding.

[Eighth indorsement.]

HEADQUARTERS SECOND SEPARATE BRIGADE,
San Fernando, P. I., December 5, 1901.

Respectfully forwarded to the adjutant-general Department North Philippines, inviting attention to report of Lieutenant Walker's Exhibit 8, and to the seventh indorsement, which is concurred in.

WILLIAM H. BISBEE,
Brigadier-General, U. S. A., Commanding.

[Ninth indorsement.]

HEADQUARTERS DEPARTMENT OF NORTH PHILIPPINES,
Manila, P. I., December 8, 1901.

Respectfully returned to the adjutant-general Division of the Philippines, and attention invited to the inclosed statement of Lieutenant Walker, Third Infantry, contained in Exhibit No. 3.

Under the circumstances as noted Lieutenant Walker's action is approved.

LOYD WHEATON,
Major-General, Commanding.

[Tenth indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., December 12, 1901.

Respectfully returned to the Hon. Luke E. Wright, vice civil governor of the Philippine Islands, Manila, P. I., inviting attention to the preceding indorsement and inclosed statement from Lieutenant Walker, in view of which I must insist upon adequate protection being afforded Fausto Bihasa before releasing him from the protection of the military authorities.

ADNA R. CHAFFEE,
Major-General, U. S. A., Commanding.

MANILA, P. I., *December 20, 1901.*

Maj. Gen. ADNA R. CHAFFEE, U. S. A.,
Commanding Division of the Philippines, Manila, P. I.

SIR: I have the honor to acknowledge the return of the papers in which José Serapio, governor of the province of Bulacan, called the attention of the civil governor to the fact that one Fausto Bihasa, who had been arrested pursuant to a warrant issued by a justice of the peace of that province, had been taken from the possession of the civil authorities by the military officer commanding in the town of Santa Maria. These papers were referred to you by the acting civil governor on the 19th ultimo with the statement that if the facts stated were true the officer had overstepped his authority, and with the request that investigation be made, and if the facts were as stated that Bihasa be ordered returned to the civil authorities.

An examination of the various indorsements upon these papers shows that they were sent by you, through the usual military channels, to first Lieut. Philip H. Walker, Third Infantry, commanding station at Santa Maria, he being the officer whose action was complained of. In his indorsement thereon he gives his version of the transaction, from which it appears that in his judgment Bihasa was being persecuted by the governor of Bulacan because he was friendly to the Americans, stating that Bihasa was the only one of his acquaintance who could be placed in that category, Governor Serapio, in his judgment, being unreliable and guilty of duplicity in his relations to the constituted authority, and that therefore Lieutenant Walker had taken the prisoner out of the custody of the civil officer having him in charge and given him protection. It further appears that Col. John H. Page, Third Infantry, Lieutenant Walker's immediate superior, concurred in what the latter had done, stating that "suspicion of duplicity has for a long time attached to the governor of Bulacan" and recommending "that in justice to the military the conduct of this governor be thoroughly investigated." And further that—

It would seem to be a very inopportune time for the civil government to hold the upper hand over the military, especially when the former is administered by such a man as the governor of Bulacan is generally believed to be, as unscrupulous civil officials would have it in their power to persecute at will, as in this case, natives friendly to the Americans and loyal to American Government.

The indorsements of Brig. Gen. William H. Bisbee and Maj. Gen. Loyd Wheaton, commanding the department, concur in the action

taken by Lieutenant Walker and the views expressed by Colonel Page; and finally, you in your indorsement invite the attention of the vice civil governor to General Wheaton's indorsement and the statement of Lieutenant Walker, in view of which you "insist upon adequate protection being afforded Fausto Bihasa before releasing him from the military authorities."

Personally, I am unable to form any intelligent opinion as to the correctness of the statements made by Lieutenant Walker and concurred in by his military superiors, as they constitute the only criticism upon the official conduct of Governor Serapio. No complaint has heretofore ever been made by any military official or other person of any misbehavior on his part or that he was disloyal to the authorities, nor is it possible in view of the vague and indefinite character of the complaint now made to form any opinion as to its correctness without giving him an opportunity to be heard and making a thorough investigation.

The machinery created by the Commission for the investigation of the conduct of any civil official is ample, and had any complaint been made affecting Governor Serapio an investigation would have been made at once, and if it had been found that he was guilty of any of the charges preferred he would have been promptly dismissed from office. He was originally appointed to the position he now occupies upon the earnest recommendation and request of Maj. Gen. Arthur MacArthur, then commanding Division of the Philippines, and of Brig. Gen. Frederick D. Grant, then commanding the department of the district in which Bulacan was situated and the immediate superior of Colonel Page. These distinguished officers vouched for the fact that Señor Serapio was and had been thoroughly loyal to the American Government, had given efficient aid in suppression of the insurrection, and that the only enemies he had in the province were those who had been unfriendly and in opposition to American authority. Presumably, too, the recommendation was approved by General Wheaton.

The statements made by Lieutenant Walker and Colonel Page affecting the official and personal character of Governor Serapio seem to be mainly, if not entirely, based upon what is termed "general talk" and the statements of the prisoner Bihasa himself. It would seem incredible if an officer of Colonel Page's standing had any real evidence of Governor Serapio's using his official position in the interest of insurrectionists, that he would have failed to have made it known to you or to the civil authorities. Out of respect to the officers who have made the indorsements referred to, I have thus discussed at some length the reasons upon which this action is said to have been taken. I do not mean thereby to admit, however, that the question of Governor Serapio's fitness or unfitness for his place is relevant or could justify the action of Lieutenant Walker in interfering with due procedure under the law. For the same reason, indefinite as the charges are, they will be promptly and fully investigated, and if Colonel Page or any other military officer can give any information or evidence we shall be glad to receive it.

The object of this communication, however, is to suggest the utter impossibility of maintaining civil government, even in its most attenuated form, if it is within the power of any and every military official in these islands, at his own will and discretion, whether that discretion be well or ill founded, to nullify the process of the courts when duly issued, by taking prisoners in no way connected with the army and

charged with ordinary crime from the custody of the duly constituted officers of the law. No government under such circumstances could be otherwise than justly contemptible when it is permitted to exercise its functions only by sufferance.

It is not my purpose to thrash over again the question as to whether the commanding general has the authority, in case of military necessity, temporarily to suspend or set aside civil government within the pacified provinces. Both Governor Taft and myself have had the honor to express our views upon this point to you in former communications.

It may be stated generally, however, that in the view taken by the civil governor and his colleagues, the instructions of the President of the United States to the Commission direct that when the latter shall deem a province sufficiently pacified to warrant the formation of civil government therein, civil authority within that province is then supreme, and the military authorities have no right or control therein except upon a call of the civil authorities to suppress armed insurrection. We are aware that you do not fully concur in this view, but had supposed that had you regarded any interference with the civil administration necessary the order to that effect would have been made directly by you, and that you would not permit so delicate and far-reaching authority to be exercised by any subordinate. While in our opinion any such interference would be in violation of the orders issued by the President of the United States, who is both your and our common superior, still it would have at least emanated from a source having an adequate sense of the necessity and responsibility for taking such a step.

Acting upon this assumption, we have been and are sincerely anxious to waive, as far as possible, a discussion of this question, believing that mutual cooperation and avoidance of it would make it unnecessary for either of us to appeal to the President to settle the matter; but from the action taken in this case, if insisted on, and it is to be a precedent for the future, it would seem absolutely necessary that the line of demarcation between the civil and military authorities, in so far as it relates to the administration of civil affairs, should be again definitely determined. It is vital to the civil authorities to know exactly where they stand. When it is considered that there are perhaps a thousand military officers in the various provinces of the islands and several hundred civil officials, necessarily more or less in contact with each other, it needs no argument to show that clashes must frequently occur, always detrimental to, if not destructive of, American prestige and authority. This is so manifestly true that I beg to express the hope that you will reconsider your action in this matter, and will direct your subordinates to refrain from any interference with the civil administration, at least until ordered to interfere by you. Permit me respectfully to suggest that some such direction as this will reduce the possibility of controversy between the two arms of the American Government here to its narrowest limits, leave it to be determined by the heads of the civil and military governments, and as they result make it extremely improbable that any serious clash will arise. An order of this character would be directly in line with General Orders No. 179, issued by you, which the Commission understands was a *modus vivendi* established between Governor Taft and yourself.

This suggestion is made not alone in view of the occurrence which is now the immediate subject of discussion, but for the reason that in several other instances complaints have been made of unauthorized acts of your subordinates similar in character, and for the further reason that such acts, in the very nature of things, unless checked by appropriate direction from you, must continue to occur. I beg further to say that we quite appreciate the fact that it is entirely possible that the agents of the civil government are not all either discreet or perhaps reliable. We are engaged in carrying out the instructions of the President of the United States to establish civil government in these islands, as far as in our judgment may be practicable, upon American lines. Our work necessarily must be to some extent experimental, demands constant care, and possibly may require revision, and must be unsuccessful unless it is given a fair trial. Constant interference by military officers makes failure certain. This would be true even if our subordinates were men of experience, judgment, and had the fullest grasp of the situation.

In suggesting this policy of noninterference, I hope it will not be understood by you or your subordinates that the civil governor and the Commission will not always welcome any report of misconduct by any civil official, or will fail to give the matter prompt attention.

I may say, as illustrative of our position, that if in the case in hand Lieutenant Walker had felt that Bihasa was being imposed upon, or that his life was in danger, he could readily have sent a guard along with the prisoner to see that no violence was perpetrated upon him and that he appeared before the justice of the peace who had issued the warrant. He could also have telegraphed to you or to the civil governor, who would have at once seen that justice was done in accordance with law.

I have the honor to be, very respectfully,

ACTING CIVIL GOVERNOR.

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., December 22, 1901.

Hon. LUKE E. WRIGHT,

Vice-Civil Governor, Philippine Islands, Manila, P. I.

GOVERNOR: I have the honor to acknowledge receipt of your letter of the 20th instant in reply to indorsements upon a communication in connection with holding under military control one Fausto Bihasa at Santa Maria, in the province of Bulacan.

In reply thereto I beg to say that General Wheaton has been instructed to cause the said Fausto Bihasa to be released.

Very respectfully,

ADNA R. CHAFFEE,
Major-General, United States Army, Commanding.

EXHIBIT 3.

The facts in this case are as follows:

Fausto Bihasa was formerly chief of police under the military. He was appointed to this position by me upon the recommendations of Capt. J. H. McKae, Third Infantry, and Lieutenant-Colonel Walsh.

ly-fifth United States Volunteer Infantry, former commanding of this station, who recommended him on the grounds that he aged to none of the various parties of this neighborhood, and fore could be relied upon to do his duty against whomsoever, he did faithfully and well and often at his own peril. During tire term he rendered most excellent service in capturing arms adrones.

ring all this time he was actively but secretly opposed by the incial governor, who caused me much annoyance by giving orders tly to the police contrary to my wishes and the orders of the t Bihasa, and therefore often defeating my plans.

st prior to the transfer of the police from the military to the civil orities an incident occurred which added greatly to the enmity of overnor toward Chief Bihasa. At this time I received a letter

Capt. John Barker, Third Infantry, commanding officer, Norza, stating that on the previous night a number of carabaos had been a from the people of his town by ladrones from here, who were eed to be under the protection of the civil governor.

e bearer of the letter, who was also one of the owners of the cara- stated that one of the animals was then in the possession of the rnor's family. I sent Fausto Bihasa to investigate, and upon his n he reported that the carabao was in the possession of the gov-'s sister and that the owner has positively identified it as his rty.

the people in whose possession it was could not account to my action, I ordered Fausto to return it to its owner.

usto Bihasa then expressed fear that the governor would persecute for the action he had taken, and I again, as often previously, ed him that I would give him protection and support in all that t arise through his performance of duty and carrying out of my s.

om this time on he has been persecuted by the governor. Early tober I received a visit from Lieut. Philip K. Sweet, representing ecret service department. Upon his learning that the governor n his possession and the possession of his friends a number of and revolvers which he held by virtue of a permit signed by Gen. . Grant, U. S. Army, he (Lieutenant Sweet), after conferring with rdered Chief Fausto Bihasa to take a squad of police and collect arms, which the said Bihasa did, after having been assured by tenant Sweet that he would support and protect him in the matter. is time the police were in the hands of the civil authorities.

e following day the governor discharged Bihasa and a few days rdered his arrest.

the meantime Bihasa had been employed by Major Allen, chief nstabulary in Manila.

the course of a week or ten days Bihasa returned here bringing a from Major Allen, stating that he was an employee of his and giv- im permission to visit his family for a few days. That night he was ted by the local presidente by order of the civil governor. The dente reported his action to me. I asked to see the warrant upon h he had made the arrest and he said he had none, but that he rrested him upon the order of the civil governor. I then told hat although the persecution of Bihasa was distasteful to me, I d not interfere further than to see that justice was done. I then

wired Major Allen, informing him of the arrest of his agent, and received a reply stating that he (Major Allen) had wired the governor to release Bihasa. This request of Major Allen's was not complied with. The following day the presidente informed me that he had received orders from the governor to send Bihasa to Malolos under guard. I asked the presidente if Bihasa had been given a hearing before the justice of the peace, and he replied that he had not. The prisoner then expressed great fear and begged me not to allow him to be marched to Malolos, as he feared they intended to get him off in the fields and then kill him. As I also entertained grave doubts as to the sincerity of this expedition, I ordered the presidente to keep him in confinement here for the time being.

I then reported my action to my battalion commander and wired Major Allen, informing him of the case.

The following morning I called on Major Allen and explained matters fully, for which he thanked me and approved my action.

The following day I received a telegram from Major Allen requesting me to send Bihasa to him in Manila at once.

I showed the telegram to the presidente, and requested him to release Bihasa, which he did. I then loaned Bihasa a revolver, and giving him a note to Major Allen, directed him to report at once.

Throughout this entire affair it has been a pure case of persecution, amounting in its nature to blackmail. This fact is well known to all the officers and men that were cognizant of the local conditions in this vicinity, as well as the various constabulary inspectors of the province.

In pursuing the course I did I considered it my first and all-important duty to protect the only entirely loyal and disinterested native of my acquaintance, and the man that carried out my orders without regard to his personal safety or hope of pecuniary advantage.

Fausto Bihasa is the victim of malicious persecution, and his only crime is that he does not belong to the provincial governor's party, and could not be intimidated or coerced by him into a life of double dealing.

For corroboration of my statements I respectfully request that this paper be referred to my battalion commander, Capt. J. H. McRae, Third Infantry, who is well acquainted with the entire personnel of this affair and thoroughly conversant with local conditions here.

The people of this town are now watching with a great deal of interest to see whether the Americans are going to support and protect the man who has "stuck" to them through thick and thin, or whether they are going to allow him to be persecuted by a man whose duplicity and abuse of power is the common talk of this section of the province.

Very respectfully,

PHILIP E. M. WALKER,
First Lieutenant, Third Infantry,
Commanding Company E and Station.

No. 4.

CAGAYAN, *November 12, 1901.*

GENERAL GOVERNOR OF THE PHILIPPINES,
Manila.

HONORABLE SIR: I have the honor to transmit herewith a protest signed by the municipal officers and leading residents of the pueblo of

MANILA, P. I., *December 9, 1901.*

CORRALES, *Governor, Cagayan, Misamis:*

Presidente, vice-presidente, secretary, and other municipal officials of Jimenez having been arrested charged with treason, under section 1, act 303, you are authorized to make temporary appointment. The commanding officer at Jimenez has made provisional appointments. If you are satisfied with them, you might continue them. If not, appoint others.

FERGUSON, *Executive Secretary.*

MANILA, P. I., *December 9, 1901.*

ICKIS, *Judge First Instance, Cagayan, Misamis:*

Presidente, vice-presidente, secretary, and other municipal officers of Jimenez were arrested second instance, charged with treason. Acting civil governor directs that you take cognizance of the case and proceed at once to trial of these parties. Answer.

FERGUSON, *Executive Secretary.*

Peter E. Traub, acting assistant adjutant-general, Department of South Philippines, Cebu, December 3, 1901, forwards telegram of Captain Ryan, stating that he has arrested the presidente, vice-presidente, secretary, and eight of the principal men of Jimenez, on charge of treason; requests that town be left under military control, as all men in the town are implicated.

[First Indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, December 8, 1901.

Respectfully referred to the vice civil governor of the Philippine Islands, inviting attention to the inclosed telegram, and requesting that immediate steps be taken to bring these civil officers to trial before civil court. If this can not be done without much delay, I shall order them tried by military commission. It is also requested that the civil governor of the province be directed to appoint provisionally new municipal officers for Jimenez unless satisfied with those appointed provisionally by the officer in command. If so satisfied, it is requested that the governor continue them in office. This dispatch, just received, has been delayed. Please advise me as early as practicable as to your action.

ADNA R. CHAFFEE,
Major-General, U. S. Army, Commanding.

[Second Indorsement.]

OFFICE OF THE CIVIL GOVERNOR
OF THE PHILIPPINE ISLANDS,
Manila, P. I., December 9, 1901.

Respectfully returned to Maj. Gen. Adna R. Chaffee, commanding general and military governor in the Philippine Islands, inviting attention to the inclosed copies of telegrams sent this day.

LUKE E. WRIGHT,
Acting Civil Governor.

CAGAYAN, *December 5, 1901.*The CIVIL GOVERNOR OF THE PHILIPPINE ISLANDS,
Manila.

SIR: On the 2d day of the current month the commanding colonel of the North of Mindanao, Mr. Duggan, communicated to me, orally and in person, the contents of a telegram sent by the commanding officer of the detachment of Jimenez, in which the latter informs the colonel that he holds under arrest the president, vice-president, councilors, and secretary of the said pueblo of Jimenez, because they supplied, so he says, provisions to Rufino Deloso, revolutionary leader, having appointed in consequence another president and vice-president provisionally, and the message states further that said officials admit that they are the parties who committed the deed.

Although I am very much surprised at this information, for when I passed through those pueblos, at the time of the elections, all the inhabitants showed themselves extremely desirous to enjoy the benefits of the peace, envying the tranquillity reigning in Cagayan and in the other pueblos in the east of the province, and expressing their determination not to have any relations with the above-mentioned revolutionary chief, especially so in the pueblos of Jimenez and Oroquieta, still I respect the action taken by the said commanding officer; but wishing at the same time to furnish the authorities all the data necessary to clear up a matter of so much importance and delicacy, I have thought it my duty to inform you that the municipal authorities now under arrest are the same who signed a protest against the arrival of two friars in that pueblo; and these friars were called for by the commanding officer of the detachment, who, so they say, is a fervent Catholic.

Upon the arrival of the said priests, who were received at the coast with horses brought by soldiers of the American Army, to enable them to go to the pueblo, I was getting ready to leave, as the elections were over. But at that moment the new municipal officers communicated to me their displeasure at the event. On my part I recommended prudence, and above all that they should not forget that they always had at hand the expeditious recourse of the law. And the colonel, Mr. Duggan, expressed himself in the same terms when I told him of all that had happened in Jimenez, when I visited him after my arrival at this capital; which circumstance—i. e., the part taken by the said commanding officer in the coming of the friars—the petitioners omitted from their protest in order to avoid any enmities and ulterior consequences.

I lay the above details before you entirely free from prejudice and passion. I do no more than set them forth, because being absolutely without official information and data any judgment would be premature and prejudicial.

Very respectfully,

MANUEL CORRALES,
Governor of the Province of Misamis, P. I.

OFFICE CIVIL GOVERNOR PHILIPPINE ISLANDS,
Manila, P. I., December 12, 1901.

Hon. MANUEL CORRALES,
Governor of Misamis, Cagayan, P. I.

SIR: I have the honor to acknowledge receipt of your communication of the 12th ultimo, inclosing the protests of the people of the pueblo of Jimenez against two friars being allowed to locate in that pueblo. I beg to say in reply that there is no law which forbids friars from going to and remaining in any town of the archipelago. In this regard religious persons stand upon precisely the same footing as other people; their right of free locomotion stands upon the same footing in every particular as that of any other citizen. So long as they do not violate the law they should not be interfered with and are entitled to the protection of those civil officials charged with the enforcement of law and the protection of individuals. Of course if they violate the law they are amenable to its provisions just in the same way as are other people.

It is to be regretted that these padres should insist upon remaining in a community which does not desire their presence or ministrations: but their right to do so is unquestionable and must be respected. One of the fundamental principles of American Government is the complete separation of church and state, and another is the right of every person within the jurisdiction of the United States to worship God according to the dictates of his own conscience. It is therefore impossible for any priest or religious teacher to exact contributions from anyone against his will or to compel his attendance upon divine service: so that the people of Jimenez, if they elect to do so, may remain away from church whilst these padres officiate, and are not compelled in any way to contribute to their maintenance. This being so, it is not easy to perceive why the presence of the two padres in the pueblo of Jimenez can in any wise injuriously affect the people.

Governor Taft some months since addressed a communication to the honorable Wallis O. Clark, governor of Tarlac, defining at some length the respective rights of priests and people, a copy of which I herewith inclose for your perusal and guidance and also for the information of the municipal authorities of Jimenez. This communication so completely covers the entire subject that it need not be further discussed here.

I have the honor to be, very respectfully,

LUKE E. WRIGHT,
Acting Civil Governor.

No. 4.

CAGAYAN, PROVINCE OF MISAMIS, *February 4, 1902.*

Hon. LUKE E. WRIGHT,
Governor Philippine Islands, Manila, P. I.

SIR: Manuel Corrales was reelected governor of this province yesterday, receiving all but 2 of the 117 votes cast. All of the towns were not represented, but their absence was due to natural causes. I have no doubt but that you have been fully advised in regard to the relations at present existing between the civil and military authorities

Major Allen, chief of constabulary, the governor's report, and by Thomas, supervisor of the province, and also of the governor's nation when it was found to be impossible to have the town of Jimenez tried by the court of first instance or to stop the man abuses perpetrated upon them by the military authorities. From my talks with the governor I think he is afraid the same things happen to himself. He did not wish to be reelected, and after the votes were counted told the assembled voters that he would resign. My reason for writing this letter is to say that in my opinion the best man for governor, and it will be to the best interests of the province to have him serve. If some other person is to be named, I would respectfully suggest an American of the right sort. These people are very anxious that civil government should obtain, and I think an American governor would be well received.

Very respectfully,

EUGENE BARTON,
Treasurer Misamis Province.

Official copy respectfully furnished by direction of the acting civil governor to the Hon. William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSON,
Executive Secretary.

EXECUTIVE BUREAU, *February 14, 1902.*

CAGAYAN, MISAMIS, *February 5, 1902.*

CIVIL GOVERNOR PHILIPPINE ISLANDS,
Manila, P. I.

SIR: At the election here Monday Señor Corrales was reelected governor by a practically unanimous vote, receiving 115 out of 117 votes. Señor Corrales was not a candidate and protested against being elected, and I think the vote cast is a fair indication of the wishes of the people of the province regarding the governorship. In addition to being the choice of the people, he is better qualified than any other native in the province to perform the duties of the office. Although he has forwarded to you his resignation as governor and personally does not wish the position, yet in view of the result of the election he would continue in office if assured that the military authorities will not continue their present interference with the civil government. If this attitude of the military authorities is to continue, in my opinion an American should be appointed governor of the province, either the present governor nor any other native would perform the duties of the office under the present conditions.

I have the honor to be, very respectfully,

WARREN H. ICKIS,
Judge of the Court of First Instance.

Official copy respectfully furnished, by direction of the acting civil governor, to the Hon. William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSON,
Executive Secretary.

EXECUTIVE BUREAU, *February 14, 1902.*

HEADQUARTERS PHILIPPINE CONSTABULARY,
Manila, January 11, 1902.

The SECRETARY OF COMMERCE AND POLICE,
Manila, P. I.

SIR: In regard to the conditions existing in the province of Misamis and the advisability of returning it to military control, I have the honor to report, as a result of my recent visit there on the U. S. S. *General Alava*, the following:

We arrived in the harbor of Cagayan on the 2d, and the following morning the governor of the province, Mr. Corales, a very intelligent mestizo, who strongly resembles in his appearance and conversation a trained diplomat, the treasurer of the province, Mr. Barton, late captain of the Fortieth U. S. Volunteers, Mr. Ickis, judge of the court of first instance of the Zamboanga district, and the senior inspector of the province, John W. Green, late captain of the Fortieth U. S. Volunteers, came aboard and we proceeded directly to Jiminez about the 5th instant.

Both these captains were stationed in the province of Misamis with their regiments, and being practical men of good judgment, their opinions concerning various matters connected with the province are naturally of more importance than those of others more recently arrived.

I was surprised to learn from them and the governor of the extremely pacific conditions in the eastern part of the province where the treasurer ordinarily goes from point to point without guard.

The town of Cagayan, one of the two military posts of the eastern part of the province, has been unfortunate in its recent military commanders, one of whom is reported to have been continually under the influence of liquor, while his successor now there is a second lieutenant who lives openly with a native woman of low class to the disgust of the better class of Filipinos and to his own disgrace.

The governor frankly spoke his views concerning the condition of the towns of the western part of the province, which he thought had not changed since he organized them in the latter part of September of last year in spite of the recent reports by the military authorities. He was fully convinced of their desire for peace and complete cessation of hostilities after he had conferred with them during our stay.

The recent military activity was brought about by the murder of three out of four American soldiers who were engaged in repairing telegraph lines in the latter part of November by bolomen. There is, however, a rumor that this was not done by members of any insurrecto organization or parties in any way connected with Gen. Rufino Deloso's command, but was the work of a party of criminals. I passed the night with the post commander, Captain Ryan, of the Fifteenth Cavalry, from whom I had his version of the conditions existing at Jiminez.

The following morning I had a conference with the principal of the town, including the new officials appointed by Captain Ryan, in the presence of Assistant Chief Goldsborough, the governor, the judge, and Senior Inspector Green. Captain Ryan had been acting under the supposition that Jiminez was under solely military government; he even stated at first that it was under martial law, and was extremely surprised that a civil tribunal should come there to take cognizance of what he considered purely military charges and crimes.

Captain Ryan is an intelligent and active officer of very strong

Catholic proclivities. The people of the province, excepting the Moros, are of course Catholics, but are strongly opposed to the return of the frailes, and Captain Ryan's action in sending to Cebu for the two frailes who arrived in Jiminez the day of the elections was not a tactful or politic measure, however sincerely he may have had the interests of the people at heart.

With the incarceration of the old town officials, the attendance at church has greatly increased, but the reason for this may be due to the deference to the authority that appears to the people as supreme—that is, the post commander. The numerous imprisonments recently made in the towns on this coast has inspired great terror among the inhabitants, and this fact may partially account for their strong desire to have Rufino captured and complete peace restored.

Jiminez has been considered the storm center, and the summing up that I intend to make is based upon the supposition that the other towns are not less desirous of peace or less favorable to American government than it is.

To begin with, Rufino has not more than 25 serviceable guns and has not made an attack for many months; the masses of the people are opposed to him; he is considered a foreigner (Boholano) who has no strong affiliations with the people at the present time other than by reason of his possession of guns, and his band is, as far as known, the only one of any importance in the province.

There is no reason that I can understand, from a study of the situation on the ground, that would justify returning any part of the province to military control. On the other hand, I shall be prepared to hold with constabulary, by the end of March, all the posts now held by the military, except Ilagan and Misamis. These two posts are respectively at the southeast and southwest parts of the bay, and control the Moro country lying between and south of them. Since no one is permitted to go into or through this region, it follows that eastern and western Misamis have relations only by sea—by crossing the bay. The continuance of these regions in one is extremely unfortunate, but for financial reasons it seems to be a necessity at the present time. Neither part separated would be sufficiently rich to justify a provincial government, as the annual collections of both do not exceed 30,000 pesos.

Cagayan may be abandoned by troops with safety at any time; the sooner the better, unless the post commander be changed. Senior Inspector Green has been directed to take station at Oroquieta, and to prepare to garrison all necessary towns of that coast north of the town of Misamis not later than March 30.

The retention of Ilagan and Misamis is directly connected with the Moro problem. There is perhaps no province in the archipelago where a strong steam launch is more of a necessity than in the province of Misamis. The absence of transportation has kept the western half almost completely out of relations with the provincial government and authorities, and has caused the military government to naturally retain its hold and control of the towns, even to regulating details of the municipal governments. This is not conducive to creating confidence in the laws and authority of the Commission, and it gives the people erroneous ideas of American civil government. The governor deeply feels the indifference shown to his lawful authority

by the retention of military control, but has been very tactful and philosophical in regard to it.

Our arrival with the court of first instance was an element of civil government that the people could see and therefore partially understand, and it is believed that this session of court will have a very beneficial influence.

From Oroquieta we proceeded to Zamboanga, where I had a lengthy and satisfactory conference with General Davis, who has always exhibited a broad-gauged intelligence concerning the matter and is disposed to do all in his power to aid civil government.

After the murdering of the three Americans he directed Colonel Duggan, of Misamis, to take severe measures on the west coast.

Section 99 of the municipal code (the provincial code has a corresponding section) authorizes the military governor to relieve municipal officials for certain causes and appoint others, and General Davis's approval of these acts by his subordinates in the province of Misamis was based on this section and the supposition that he was the immediate representative of the military governor. Elimination of these sections is worthy of consideration in view of the present conditions.

Inspector Green was directed to establish his headquarters at Oroquieta and to be prepared to hold the entire province with his force, excepting Misamis and Ilagan, not later than March 30 of this year. I also told General Davis that we would be prepared to do this by that time.

As the towns were not organized in western Misamis until the latter part of September, and since they are so completely cut off from communication with the capital, they have scarcely had time and opportunity to know what civil government is. In fact, it appears that till now some of the post commanders have remained the supreme municipal authorities.

The province of Misamis can not be successfully governed, certainly not to the best advantage, without a steam launch, which is a necessity for the proper maintenance of order and the proper discharge of their duties by the provincial officials. One should be sent there as soon as possible; it is as indispensable to that region as are horses and wagons to a prairie country. When that is done, there will be no more serious trouble with the province.

Very respectfully,

HENRY T. ALLEN,
Chief Philippines Constabulary.

MANILA, P. I., *February 7, 1902.*

Hon. L. R. WILFLEY, *Attorney-General.*

SIR: In fulfillment of my duties under the appointment of special prosecutor, dated December 28, 1901, I proceeded to the town of Jimenez, Mindanao, where I arrived January 3, 1902. Judge Ickis, of the fifteenth judicial district, arrived in Jimenez on the same day by the same boat, the *General Alava*, having come aboard in Cagayan de Misamis.

On my arrival I found in the hands of Captain Ryan, post commander at Jimenez, about 95 prisoners, all of whom, with the exception of about 20, are designated as prisoners of war. Of the latter 20, Ubaldo Abing, Tranquilino Bugas, Fernando Tacan, Simeon Seison,

Angel Talibong, Pablo Jaques, Luis Gimeno, Mateo Durias, Francisco Calope, and Pedro Calinete are accused by Captain Ryan of treason and holding communication with the enemy.

The facts tending to substantiate the accusation of treason and holding communication with the enemy are briefly as follows:

In the fall of the year 1900, when the American forces landed at and occupied Jimenez, one Rufino Deloso was the insurgent leader of the town of Jimenez and the surrounding country lying west of the bay of Iligan. On the approach of the American forces, November 30, 1900, the people of the various barrios of Jimenez—about 10,000 souls—by order of Rufino, retired to the mountains, lying about 20 miles back of the town, taking with them their crop just harvested and such animals as they could take along. In the spring of the year 1901 Rufino with his forces, numbering about 400 men, went south into the Moro country near Lake Lanao. While Rufino was gone to the south many of the people went back to their homes in Jimenez, among them Ubaldo Abing, Tranquilino Bugas, Fernando Taccan, Simeon Seison, and took the oath of allegiance to the Government of the United States.

The people were, however, very slow to come back, for reasons that it is very difficult to fix satisfactorily. On the 17th day of June, the date when Captain Ryan, present post commander, came to Jimenez, there were only 17 people in the town. At a municipal election held at Jimenez the 18th day of September, 1901, Ubaldo Abing was elected presidente, Luis Gimeno vice-presidente, and Tranquilino Bugas, Fernando Taccan, Simeon Seison, et al. concejales. Following an old Spanish custom, the principal men of Jimenez, even before the election of the 18th of September, 1901, regularly called upon the post commander Sunday mornings immediately after offering their prayers in the church at the hour of 7 to 8. Among these Sunday morning callers were Abing, Bucas, Taccan, and Seison, and no information was ever given Captain Ryan by the people concerning Rufino, but, on the contrary, they maintained their ignorance of him.

About the middle of August, 1901, Rufino returned from Lanao, by way of the bay of Iligan, to the surrounding country of Jimenez and went to a place called Macaban, about 18 miles from Jimenez. Immediately after his arrival Rufino sent word to the principal men of Jimenez, among them Abing, Bugas, Taccan, and Seison, to meet him in the house of Mateo Durais at Macaban on the 25th day of August. Abing, Bugas, Taccan, and Seison were living in Jimenez at the time and had taken the oath of allegiance, but attended the clandestine meeting. So far the facts are beyond controversy. The purpose of the meeting and what was resolved there became a more difficult question. There were present at the meeting both cabezas or headmen of the various barrios, and polistas, as they called themselves, or the plain citizens. The headmen are all prisoners, and I held a conversation with only one, Angel Talibong. He told me that Rufino asked him to send him some money and provisions, and that he would go to Zamboanga and not molest them any further. I also held a conversation with two polistas, Eduardo Burlat and Fulgencio Valorio, who were present at the meeting. Burlat is not a prisoner, and Valorio is sick in his own house, but considered a prisoner.

These two men told me they were not present all the time of the meeting with Rufino and the headmen, but that Rufino told them to go

home and plant their corn and quit the war; that he was going to Zamboango, and to send him some money and provisions to enable him to do so.

On the other hand, Captain Ryan has notes of statements to the contrary made to him by Abing, Pablo Jaganos, Tranquilino Bugas, Francisco Calope, Pedro Colindo, Mateo Durias, and others accused at an examination held by the captain in his quarters during the first days of December last. The substance of all these statements, as to what passed in the meeting, is that Rufino ordered them to bring him money and provisions, plant their corn and bring part of the crop to him, and to hold themselves in readiness for his orders, to all of which they assented and all of which they promised to do.

I would not quite feel justified in offering these statements as evidence against the prisoners for the following reasons: First, they were obtained in the following manner: Each individual before being examined had his arms tied to his body in such a manner that he could not protect his head when falling. Then he was stood up erect upon a wooden floor and had his legs knocked from under him; then his body was lifted and his head jolted against the floor once more, whereupon he was stood upon his head in a bucket of water for a certain length of time, and then was examined. This process was employed three times in succession before Ubaldo Abing made his statement. Secondly, the prisoners do not speak Spanish, and Captain Ryan as well as his Visayan interpreter speak Spanish deficiently, so that the real meaning of the statements made is not clear. Several sacks of rice, three pairs of shoes, and some hats were brought to Rufino by the people who attended the meeting. I could not find out by whom these effects were brought. I could not find a single person from whom a contribution had been asked since the 25th day of August. There is no evidence that anyone contributed anything, with the exception of Pablo Jaganos, who gave one Simeon Lagar 25 pesos and 70 cents and told him to buy rice and send it to Rufino in the mountains. Jaganos admits the fact, and says that he owed Rufino the money. Lagar likewise admits the taking of the rice to the mountains. The Chinaman from whom Lagar purchased the rice is a prisoner. Lagar states that the Chinaman did not know that the rice was purchased for Rufino.

The immediate cause of the arrest of Ubaldo Abing, presidente of Jiminez, and the consejales was the finding of a written letter in Visayan, of which the following is said to be a translation:

THE PRESIDENTE OF LOCULAN.

MY DEAR SIR: A convention was held in Palilan and came to the conclusion that the following orders are the best: The officers and principal men of the towns shall return to their homes, and the officers shall present themselves, for I have changed my tactics of war. The three heads of the barrio of Tudela, also the presidente and other principal men, shall return to their homes and ask for American ~~peace~~, and when you have done this send Juan Serapio to me to receive instructions to be left at each town.

It will also be well to have a man accompany him, so that you will be sure of receiving instructions. I also order you, if possible, to send me some money, if not more than \$500. I will not ask for any more contributions. Also get some one to bring me the clothes and shirts for the men left in the mountains to guard the guns.

San Jose de Libertad, August 26.

RUFINO DELOSA.

I was not told how and where the letter was obtained. I compared the signature of the letter with the other signatures of Rufino and

satisfied that the letter is genuine. In view of the fact that all culpable acts were performed prior to November 4, the date of the sedition law lately passed, the only law under which they could be punished is the provision of the penal code against conspiracy to oppose the constituted authorities. Since treason under the penal code is so entwined with Spanish sovereignty that no provision of it can be made applicable, the offense indicated is punishable by from one month and one day to two years and four months imprisonment. Captain Ryan, in view of such light punishment, refused to sign the complaint. It seems that nothing less than the death penalty is considered adequate for some of the prisoners.

As stated before, Captain Ryan came to Jiminez June 17. Since then five expeditions have been sent out, the largest one being gone three nights and two days. No hostile shot was heard by any soldier in Jiminez during all of last year, although it is a fact that toward the end of November last two American linemen were bolloed near Oroquieta.

Rufino went to Lanao with a force estimated from 400 to 600 men. He returned to the vicinity of Jiminez with 30 riflemen. Natives with whom I have been able to converse told me that if Rufino has any forces they are few in number. It is certain that quite a number of his men have deserted him since then, many of whom are now prisoners. The people of Jiminez with whom I conversed told me that Rufino gained their good will while in command there, but that they now had no sympathy with him, because of the misery he had brought upon them on account of his obstinacy. One of his soldiers who was with him at Lanao believes him to be slightly deranged from the hardships and privations suffered while in the Moro country.

No one can purchase rice at Jiminez without the written permission of Captain Ryan. The order regulating the sale of rice is to prevent Rufino from getting supplies. The people seem somewhat discouraged at the great number of prisoners. Domingo Gimeno, municipal secretary, and quite an intelligent person, as well as others, manifest no fear whatever of Rufino or other evil doers, providing the constabulary is organized in this town. They anxiously await the advent of civil government.

Captain Ryan has distributed the country around Jiminez with appointed presidentes or chiefs over each division, each one of whom has a policeman, and sends a courier daily to the captain to report. In this way the natives themselves guard the country. All persons who can not give an account of themselves are sent to the captain and by him to jail. On the morning of January 8 an insurrecto was captured, as the captain stated, by one of these presidentes and brought to Jiminez. The insurrecto admitted that he had been with Rufino to Lanao, but insisted that he had deserted him soon after his return. Cosme Durias, the man that brought him in, stated that the insurrecto wanted to present himself; that he had been sick in a house of a man living near Durias for nearly a week, and that the owner of the house brought the insurrecto to him (Durias), stating that the insurrecto wished to present himself to the commandante. The insurrecto was sent to jail by Captain Ryan to join the ninety-odd other prisoners.

There is a friar officiating as parish priest in the curacy of Jiminez since the day of the municipal election, or about the 15th day of September last. Captain Ryan states that many of the good people had

come to him lamenting the absence of a spiritual father, and that at some of the Sunday morning calls heretofore alluded to the matter was discussed and the captain requested to procure the coming of a friar, since a native secular priest could not be had. In response thereto the captain wrote to the archbishop and several friars came to Jiminez, one of whom is now in an adjoining town. The captain has not heard a single murmur against the friars, but the greatest satisfaction and comfort on the part of many has been expressed to him. At the time of the arrest of Ubaldo Abing, presidente, and the other town officials the friar happened to be in a neighboring town, and on his return to Jiminez manifested to the captain that he observed a remarkable change in the attitude of the parishioners toward him; that he had prior to his departure noticed a great coolness of the people toward him, and that on his return he had ascertained that the presidente, Abing, had ordered the people not to attend church and not to contribute any money, and that the people through fear of Abing had done accordingly.

I also spoke of the friars to Angel Talibong, the only prisoner with whom I spoke concerning the matter of the meeting with Rufino at Macabon. There was apparent in him a conscious effort to express his satisfaction and comfort at the presence of a priest in Jiminez. He also stated to me that the delight of all the people at his coming was great. Talibong was so demonstrative in his manner while depicting the joy of the people that in imitation of them he rubbed his hands and repeated their expression of delight, such as "Now we have a padre to baptize and marry our children and bury us," etc.

In conversation with a number of the most intelligent people in Jiminez, when changing the subject to that of the friars and how they had come to Jiminez when they were not in other parts of the islands, they invariably answered that the captain had proposed their coming and that they had assented; that they expressed no dissatisfaction at the proposition; but I have seen no one who knew of anyone who had suggested the coming of a priest or friar to the captain. They all expressed to me confidentially their great dissatisfaction at the presence of the friars, and several stated that the friar was collecting excessive rates for the various religious services he performed. They all state that they would be all much pleased to have the friar vacate Jiminez, and wish that he had never come.

Personally, the friar, Padre Pedro, seems to be quite an excellent man. He is endeavoring to do all the good he can, especially among the sick, of whom there are a great many in Jiminez. The padre stated to me that the death rate is from 6 to 8 a day in his parish from an intermittent fever, resulting from nothing less than insufficient nourishment. The exodus of the people and their tardy return have resulted in the failure of a crop. It seems, however, that individual virtues can not span the gulf between the friar and the people.

There is now a school here, taught by a young native teacher, seemingly quite intelligent. The people are very desirous of obtaining an American teacher as principal for the various schools that should be established in the pueblo. In this question, however, they can never hope for the cooperation of Captain Ryan. He scoffs at the American teacher and all his efforts in the Philippines. He believes that the Filipino is incorrigible; that two generations of military government will not put them in condition for civil government.

He further somewhat inconsistently believes the American occupation unjust, and that the guiding hand will show it in the end; that the Filipino can not survive; that the American can never live here, and in other incoherent tenets, all more or less of a destructive or negative tendency. He holds absolutely no intercourse with the natives except on matters of his rural police and other questions of necessity. The special order issued after the Balangiga massacre by General Chaffee is posted over his writing desk with the superscription, "Eternal vigilance is the price of safety," and it seems that the captain has become convinced that the same fate has been forged for him and his troop. The drastic measures adopted by him seem to him absolutely necessary for self-preservation and the inculcation of loyalty toward the United States.

He has just about completed a large stockade built of bunga or betel-nut trees set in the ground close together. It must have required at least several thousand trees to construct the stockade. These trees do not grow spontaneously, and are considered as of considerable value by the natives. The captain has cut when and where he saw fit, without saying a word to anyone. He also has constructed a storehouse and has taken the floor out of at least six of the best houses in Jimenez for use in the storehouse. Doubtless he has never heard a word of complaint, because the people fear to complain to him; but anyone else will hear complaints very soon after reaching Jimenez.

They have at the post one Juan de los Santos, a native of Guam, as a scout, who has very confused notions as to the ownership of property. He was indicated to me by Lieutenant Burnett as a most valuable man who rendered more service than half a dozen troopers, and who "would rather kill these people than eat." I do not say this in disparagement of Lieutenant Burnett, who seems to be a fine young officer, but is just out of West Point, class 1901, and absolutely without any experience. Juan de los Santos in speaking of his marksmanship and his good revolver stated that he had killed three persons with it, all "while attempting to escape," a phrase of particular significance under the Spanish rule. This man, I was told by Genero Osamis, the only Spaniard in Jimenez, and who knows about Santos's antecedents, has served eight years of penal servitude in Iligan for murder committed in Guam. This man Santos acted as interpreter at the taking of the statements alluded to.

There is now much abaca to be harvested around Jimenez, but the people are so terrorized and fearful lest they should be denounced, or they should have difficulty while in their fields with some one that they prefer staying in the town and eke out a miserable existence. The present justice of the peace told me that he would try and stay in Jimenez several months longer, but if conditions did not change in that time would seek safety and refuge in Manila. The justice was formerly an officer of Rufino, in charge of the equipment. He states that Rufino, if he is still in Mindanao, has only with him the two deserters, Morgan and Miller, and that of his rifles there are few if any intact. The justice did not go to Lanao with Rufino, and even at that time there were a number of rifles useless and the rest fast becoming such. This tallies with the story of one Ronquila, who was with Rufino in Lanao, who states that from exposure and the impossibility to obtain oil for the rifles 8 of the 32 that Rufino brought back with him were useless, and that it is quite probably that but a few are

in working condition at the present time. The justice also stated to me that the two linemen boloed near Oroquieta were most probably not killed by the insurrectos, but through individual vengeance.

It has been stated to me by the post surgeon that the present attitude of Captain Ryan is a deliberate attempt to thwart civil government in this part of the province. With the present death rate at Jimenez from a fever resulting from want of food, a cause that can only be removed by an encouragement of the people, with the apathy and fear of the people resulting from a method of governing suitable only for a battle ground, the town is fast approaching absolute ruin.

On the 12th of January Captain Ryan ordered the dogs running loose in Jimenez to be shot. There was considerable shooting all day. It can not be denied but that the dogs were a pest, but the continued shooting caused great uneasiness to the natives. I saw four soldiers chase a dog into a house, enter the house with clubs while one stood outside with drawn revolver, and the latter shot the dog on the back porch of the house before the dog had come down the bamboo stairs, and then beat him to death in the house, all the time a child crying piteously. Captain Ryan only speaks of Corrales and Capistrano as a couple of insurrecto intriguers from Cagayan whom he expects to land sooner or later, and if they would only send him to Cagayan he would fix them in a month.

The captain is beyond doubt a religious enthusiast, and angry with the natives with what he considers their impious ingratitude to the mother church. The friars were escorted from the landing place by cavalry and rode cavalry mounts sent down for their use.

It is a peculiar coincident that the captain had arranged his meeting with Rufino for the latter's surrender the very day of the holy fathers' landing in Jimenez under the guns of the United States. The coincident seems of ill omen to the natives, and the friars are blamed again for all the ills suffered by the people.

A few other incidents illustrative of the conditions pertaining in Misamis are the following:

One day while court was in session in Misamis a soldier with a drawn revolver entered the house directly opposite the building in which court was held. The running of a woman across the street attracted the attention of the judge and everyone else in the court room. The soldier, after parading through the house, went down stairs, fired several shots at a dog running by, and went his way.

Another time while I was observing the prisoners building the stockade one of the guards fired two shots at a dog running by at a distance of about 30 yards, both shots failing of their mark. The guard, somewhat chagrined at his failure, looked at his rifle and said, "Well, that's not strange at all; the sight is set at 800 yards." In the evening Judge Ickis and myself observed that right in the direction where the bullets must have gone there were quite a number of houses among the trees.

Among the prisoners at Jimenez who went to work under guard every morning, there could be seen bringing up the rear a one-legged man with crutches. There is besides in the stockade a paralytic and a prisoner from Oroquieta with both arms deformed through smallpox in early childhood.

Respectfully submitted.

WM. P. RHODE (RHODE).

al copy respectfully furnished His Excellency William H. Gilver, Governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSON,

Executive Secretary.

THE EXECUTIVE SECRETARY PHILIPPINE ISLANDS,

Manila, P. I., February 12, 1902.

No. 5.

[Telegram.]

MANILA, P. I., February 17, 1902.

SIR, Governor, Lucena, Tayabas:

reliable information through military sources that fragments of Malvar's forces are leaving Batangas and passing into Tayabas, and that the people of Tayabas along Batangas frontier are disaffected. Military ports of Tayabas closed for moral effect, in order to make the people understand the interests of the people to aid military in their operations. The Government is indisposed to inflict rigors of military law on people of Tayabas unless necessary to suppress insurrection, but if necessary so. It is therefore all important to the people of Tayabas to aid General Bell in driving Malvar and his forces out of the province of Tayabas, not only by refusing to give supplies and other aid to the insurrection, but by promptly informing General Bell and military officers of location and movements of insurgents. I hereby desire that you send a copy of this telegram to the president of the municipal council of each municipality in the province, with instructions to make its contents fully known to their people. This instruction is given them so they may be fully warned of what they may expect in the event the seat of war is transferred by Malvar from Batangas to Tayabas, and to earnestly urge them to cooperate at every point with the military authorities to prevent such a misfortune overtaking them. We believe that with the active cooperation of the people of Tayabas this catastrophe may be prevented. I have sent a copy of this telegram to Captain Bandholtz, governor-elect.

LUKE E. WRIGHT,

Acting Civil Governor.

[Telegram.]

MANILA, P. I., February 21, 1902.

BANDHOLTZ,

Governor-elect, Lucena, Tayabas Province:

I to-day sent the following telegram to Governor Gardener and I repeat to you for your information:

My report conditions in Tayabas, and especially steps taken in executing my telegram of 17th. Important to last degree that the people should actively cooperate in driving insurrectos out of province. This is the only practicable way by which they can show their loyalty and appreciation of civil government. The governor and military of Cavite are actively pursuing this course and are producing good results and making a fine impression.

WRIGHT, Acting Governor.

[Telegram.]

LUCENA, *February 21, 1902.*EXECUTIVE SECRETARY, *Manila:*

Governor Gardener has shown me circular telegram to presidentes, which should accomplish good results. A force of a thousand volunteers could easily be organized in this section of province, and I should be very glad to take the field with same if arms could be obtained. McLain and Fitzhugh are eager to join me, and prominent ex-insurrecto officers, such as Castillo, Alfonso, Maxino, and others have offered services. There are certainly evidences on the part of the people of a desire to down all signs of insurrection.

BANDHOLTZ, *Captain.*

[Telegram.]

LUCENA, *February 21, 1902.*EXECUTIVE SECRETARY, *Manila:*

Two telegrams quoting others sent Governor Gardener received. There is no question but what fragments of Malvar's command have been in Tayabas Province for months past, but reports indicate that they are now badly stampeded. The people in all the towns are not only willing but anxious to aid in every way possible to terminate present condition of affairs, and volunteers could be promptly organized in all towns in infected districts if efforts were made along those lines. I do not see how I can do anything officially until the 3d of March, but my influence will be exerted to the utmost.

BANDHOLTZ, *Captain.*

[Telegram.]

LUCENA, TAYABAS, *February 21, 1902.*CIVIL GOVERNOR, *Manila:*

Your telegram was translated and sent to all pueblos, also instructions from me to offer their services to local commanders and General Bell, on December 10. I had already done so, and everywhere people were cooperating with military in every way possible. Candelaria and Tiaon enlisted 70 men for constabulary. The civil authorities know of insurgents nowhere in Tayabas, Bell's district, except near the border line of Laguna, in an uninhabited mountain district of Mount Cristobal.

In the following towns the barrios are depopulated and rice and people ordered into towns: Tiaon, Dolores, Candelaria, Sariaya, Tayabas, Lucban; population, 40,000. The people of these towns are as loyal as any in the islands.

All roads and towns picketed by soldiers. A thousand natives of all classes can be recruited here if necessary to go and fight insurgents anywhere. The provincial treasurer and myself will go out with them. All we ask is arms and ammunition. The entire province is practically under military control at present.

GARDENER, *Governor.*

No. 6.

PROVINCE OF TAYABAS, OFFICE OF THE GOVERNOR,
Lucena, P. I., February 13, 1902.

The Hon. W. H. TAFT, *Washington, D. C.*

DEAR SIR: I forward you herewith a copy of my communication to the convention assembled to elect a governor here, and also a translation of letter signed by 158 out of 180 of those present at the convention in reply.

Upon my withdrawal Captain Bandholtz became a candidate and received a majority of the votes. .

Very respectfully,

CORNELIUS GARDENER,
Major Thirteenth Infantry, Governor.

PROVINCE OF TAYABAS, OFFICE OF THE GOVERNOR,
Lucena, P. I., February 11, 1902.

The Vice-Presidentes and Councilmen of the Municipios of Tayabas Province.

GENTLEMEN OF THE CONVENTION: Many of my friends in all parts of the province have asked me to allow my name to be presented before the convention for reelection as governor. Until within a few days ago I was willing to comply with their request and serve you longer as governor, should you desire to reelect me. I have, however, received information that the regiment to which I belong as an officer of the Regular Army of the United States is expected soon to return to that country. I have been absent from my country in Cuba and in these islands for over two and one-half years. For this reason and for other important reasons I feel that I must ask my friends to cast their votes for another person.

Ever since I came to this province, in January two years ago, I believe that I have earnestly worked for its best interests. To be governor of a province is a difficult and thankless place to fill, especially under existing circumstances. I have tried to show you by word and act what I believe to be the sentiment of the American people toward the people of these islands.

I have visited all your pueblos and lived with you in your homes. I believe I know and understand you, and I can say to you that the more intimately I come to know you the higher is my regard for your many virtues. My advice to you is, continue to be patient, regardless of calumny and misrepresentation. Take advantage, for yourself and your children, of the opportunities for secular education which the United States Government opens for you. Send your young men to America for education. Assist by your earnest cooperation and honest efforts to make local and provincial self-government a success. Let the more intelligent convince the uneducated that the intentions of the American people are to lead you on to progress, prosperity, and a bright future.

As long as the United States is a republic you can never become a servile race. With education you inherit the same liberties and rights which we ourselves have.

It is a great privilege to be a part of the great Republic, the growing power of the world. My best wishes will always be for your welfare.

Very respectfully,

CORNELIUS GARDENER,
Major, Thirteenth Infantry, Governor.

A true copy:

CORNELIUS GARDENER,
Major, Thirteenth Infantry.

LUCENA, TAYABAS, LUZON, P. I., *February 2, 1902.*

The Hon. CORNELIUS GARDENER.

MY DEAR SIR: The undersigned, the vice-presidents and councilmen of the various municipalities of the province of Tayabas, who have been called to this capital to elect a governor, received upon our arrival here the unwelcome news that you did not desire a reelection, having concluded to return to the United States with your regiment, the Thirteenth Infantry. This information has produced in us a profound sensation, and at the same time we find ourselves in utter confusion.

We left our pueblos with a decided and firm purpose to reelect you, for you were the first colonel who entered our province with a regiment which was a model of gentlemanly and honorable conduct. You have initiated in this province the system of autonomy by which North America desires that we instruct, govern, and administer our own towns. You have taught us in what true liberty consists. You have educated us in many things on all suitable occasions by words and by pen. You have told us of the kind intentions toward us of the great North American nation, of the secrets of your great prosperity and the reasons for your astonishing progress as a nation, and of your popular education, and by your reelection we wished to demonstrate to the civil Commission that they made no mistake when they appointed you as our first governor.

But as it is now impossible for us to carry out our intention we hand to you this spontaneous and sincere expression of our appreciation as a clear and lasting record of our intentions, because of the excellent and valuable services you have rendered to this thankful province of Tayabas.

We are, sir, very sincerely,

(Signed by 19 vice-presidents and 139 councilmen, representing all the pueblos of Tayabas. Total, 180.)

No. 7.

OFFICE SUPERVISOR, PROVINCE OF CEBU, P. I.,
Cebu, Cebu, P. I., February 11, 1902.

The EXECUTIVE SECRETARY PHILIPPINE ISLANDS,
Manila, P. I.

SIR: While not contemplated by law that the provincial board or its members should make a report upon the election of the governor, still, we, as individuals, believe that a report upon the conduct of the

election in this province will not be without interest to the civil administration.

During the last week in January the provincial board arranged for a steamer to transport the councilmen and vice-presidents from the municipalities to the capital.

The main assembly room of the provincial building had been prepared for the reception of about 300 delegates (that being the estimated number that would attend). It was arranged for the presiding officer, secretary, and tellers to occupy a space within the bar, and away from the main body of the delegates; also with four ballot booths, so that while they were under the eye of the officers of the assembly, yet they were private as far as preparing the ballot was concerned.

The new law having been read in the papers by the governor, he at once called the provincial board together, and the supervisor was directed to have blank ballots printed in the native dialect, for president, secretary, tellers, and governor. The ballot for tellers had "Vote for four tellers," and four lines on which to write the names of the persons voted for. The ballots for the other officers were printed in the same form, but had only one line for the name of the person voted for.

After the ballots were printed they were delivered to the supervisor, who placed with a stamp a distinctive mark on each class of ballots (on the back). These remained in his possession until the assembly were ready to ballot for the respective officer, and were then delivered, in the presence of the assembly, to the presiding officer.

On Monday, February 3, 1902, the electors arrived in force, 425 out of a possible 570 answering the first roll call. Each delegate was given a silk badge, showing his municipality, as a means for identification for entering the assembly room.

The convention having been called to order, the secretary of the province announced that the election of four tellers was in order, and requested permission to name as tellers, for that ballot only, the provincial treasurer and supervisor, which being granted, the election of tellers was proceeded with.

The delegation from a municipality were called within the bar, their names recorded, and they were given a blank ballot. They then went into the booths alone and wrote the names of the four persons voted for as tellers on the ballots. This they then deposited in the ballot box in the presence of the assembly. It soon developed that some of the councilmen could not write (about 35), and a delegate made a point of order that as one of the qualifications of a councilman was his ability to "read and write," those who could not do so could not take part in this assembly and vote for governor. The chair ruled that the time to object to the qualifications of a councilman was to the judges of the election at the times of the municipal election or to the provincial board when they reviewed the municipal elections. This not having been done, the election of the councilor having been approved by the provincial board, he, having qualified by taking the oath of office and having taken part in the council meetings, was entitled to vote in the election of governor, and have his vote recorded.

The election then proceeded after two members had been named to prepare the ballots for those who could not write.

The balloting proceeded, and 425 votes were cast; during the count-

ing, in which two members (named by the assembly) took part, the assembly took a recess. The counting of the votes was completed at 2 a. m., and the result showed that four tellers had been elected by a plurality vote; the total number of candidates voted for, in accordance with the spelling used, was

The result was announced to the assembly and the tellers sworn in. The provincial treasurer and supervisor then withdrew.

Balloting for the president and secretary being in order, the ballots for these officers were delivered to the chairman, and the balloting proceeded as for the tellers. The result showed that a president was elected by a plurality vote, and 142 (?) candidates had been voted for. For secretary the two highest candidates tied on the vote, and this was decided by lot. This having been decided, the balloting for governor was in order; the ballots for this office were delivered to the president and the balloting commenced. On this ballot 425 votes were cast, the successful candidate receiving votes, being a majority of all the electors present.

Before the counting of the votes on this ballot was commenced the president destroyed all of the unused blank ballots in the presence of the assembly. Because of the educational qualification involved, each vote was counted for the name as spelled, and while there could be no real doubt for whom the ballot was intended, still the real candidate did not have the vote awarded to him unless his name was correctly spelled.

Juan Climaco having received a majority of the votes cast, and the result having been announced, he addressed the assembly, and after further speech making it adjourned, having been in continuous session from February 3 to 5, inclusive (recesses only being taken).

(NOTE.—As the ballots for each officer were counted they were strung, then sealed and delivered to the provincial secretary for safe-keeping.)

Recommendations.—As individual members of the provincial board we respectfully submit the following: While it would be possible to save time in the method of electing the tellers, president, and secretary, we believe that the present method should be adhered to, as being of great educational value in teaching the people how to conduct an election for the municipal officers, and as the time consumed in the election is but a small part of the cost (transportation being the main item) it is money well spent.

We would suggest that if the expense of electing the governor is to be borne directly by the municipalities, and as all municipalities have an equal interest in the result, that an equitable method of proportioning the expenses would be for the provincial treasurer to pay out of the provincial treasury all of the expense, and at the end of, say, six months (when the provincial board should have the right to declare the account closed) collect from each municipality in proportion to the number of electors that it is entitled to.

In support of this we would respectfully state that to us there seems no good reason why a wealthy municipality, like Cebu, for instance, with 18 votes, should pay nothing and a poor municipality, as Batayan, with only 8 votes, pay a very heavy part of the costs simply because it is far from the capital. As a rule, the larger and wealthier municipalities are close to the capital and have a minimum of expense while the smaller and poorer ones are farther away and have th

imum expense. To this phase of the question we invite special attention.

As to the political situation we say nothing, only remarking that the election was absolutely fair and impartial and that the result is the free choice of the people as expressed by their electors and seems to give satisfaction to the native population.

Very respectfully,

FREDERICK S. YOUNG,
Treasurer Province of Cebu.

G. HOLCOMBE,
Supervisor Province of Cebu.

No. 8.

Political pamphlet in Tagalog distributed in Bataan Province before gubernatorial elections.

[Translation.]

MANILA, *January 1, 1902.*

DEAR FELLOW-COUNTRYMAN: On returning from our excursion through several provinces for the purpose of finding out the opinion of the people in the towns regarding the election for the office of governor, which is to be held next February, great has been our satisfaction to see that the opinion of the people is divided in favor of the candidacy of Filipinos; but great also has been our grief on learning, from the news which we have received and from what we have seen, that two small provinces of Luzon intend to elect as governor individuals who are not natives of our mother country nor fellow-townsmen, through the efficient efforts of certain Filipinos who know not how to appreciate the value of the work and the large amount of blood shed on the fields of our country in order to secure liberty and justice.

When the noble American Government confided to us the several duties for the government of our people, it was as though it had laid up in all directions paths we should follow without difficulty, in order to accomplish the fruition of our aspirations. If we should make a mistake in the choosing of our path, so that in place of following the right one we should permit ourselves to be led astray by evil-minded persons, we would demonstrate to the American Government that we do not yet know how to direct the destinies of our people and for this reason it is not yet fitting that we should be granted our full rights and liberties.

It was the great wisdom of the Civil Commission, when they organized the provincial governments, purposely set apart the positions of governor, secretary, and fiscal for the Filipinos, perhaps for the purpose of finding out whether we are yet able to govern, as we desire and demand, and for this we kept up the revolution for three years.

In the coming elections, we should give our votes to an American governor or to another who is not a fellow-townsmen of ours, we ourselves would demonstrate to the administration that we have no fellow-townsmen who are capable of ruling our people, and we would demonstrate to the other nations the silliness of our aspirations.

for liberty and the madness of our revolution from the time of the Spanish government.

In reserving the office of governor for the Filipinos, the noble American Government had no other object than to counterbalance the rights of the treasurer and inspector, which offices were purposely reserved for the Americans; that is to say, so that the governor should defend our rights and direct and interest himself in the welfare of the towns and the province and be the representative of the Filipinos before the Government, in case persons who are not of our race should not acknowledge us. At the same time they appointed two Americans in the government to assist the governor who should be the representative of the American Government and should see to the enforcement of its rights if we or the governor should by error fail to recognize them. If this office which is reserved for the Filipinos, is given by us to a stranger, it is the same as though we had wrecked the happiness of our people, now that we ourselves have voluntarily nullified our power in the government, and as though we had squandered the riches of our fathers which we might have depended upon in our adversity.

For this reason we should demonstrate in the next elections that we have competent men in our fellow-townsmen, who are worthy to govern; and it is our duty to vote for those who will not make us blush for shame, and let us not do as we did in our now extinct government, when we elected for governor one who did not have the necessary capabilities, trusting to the secretary to take charge of and do all his duties. Now we can not do this, because the Filipino governor who is not capable will immediately demonstrate this to his fellow-members of the provincial board, and his mortification would fall upon us, the Filipinos.

In this way was the Filipino government abolished in the past because in some of the provinces the voice of the partisan prevailed, and the avaricious ambitions of the employees were paramount; and when they became governors they multiplied their abuses and unlawful acts in order to favor their friends, etc., and their unreasonable measures, thus demonstrating to the Americans and foreigners, the majority of whom denied our demand for liberty, that we have not yet any men capable of governing our towns.

If in the coming month of February, yielding to the requests of friends and countrymen, you should give your votes for governor to an incapable Filipino who is not possessed of the necessary knowledge, you will have permitted him to be bound hand and foot by his American associates in the provincial government; and then be sure that you can hope for nothing good that he will do for the people, as he would be as a log thrown into the sea, which is at the mercy of the waves. If this should happen you would also demonstrate to the American Government that we have not yet any capable men, and you would prove the deficiency which our secret enemies attribute to us.

We have also observed in the provinces through which we have traveled and have also ascertained by letters from several friends that we have countrymen who dishonor the name of Filipinos, because there are those who, influenced only by self-interest, work not actively and effectively for the election to the office of governor of those who are not of our race, and in order that they may be believed by the councilors, they employ the weapon of adverse criticism, which

consists in dishonoring our wise countrymen. This custom is unworthy of us, the Filipinos, who, in mutually dishonoring ourselves, thereby demonstrate to the Americans our own wickedness and ignorance.

Right-minded men are true politicians when they work for the successful candidacy of their friend or party politician; should publish their platforms in the towns; that is to say, they should state what they will do for the benefit of the province when they come into power. The towns will then be able to choose from the platforms of the candidates the one which will have the best effect for the order and comfort of the towns, in order that the councilors, being acquainted with same, may know what candidate to favor in the election for governor. This is the custom in America and in all the nations of Europe, and should be followed by all the wise Filipinos who aspire to the office of governor, and not despise those of their own race or dishonor their neighbors, which is noticeable in the towns.

It has also been noticed in other provinces that certain individuals who were influential at the time of the Spanish régime, and also wishing to preserve their loathsome power up to the present, are the most active workers for their friends, which candidates are also the most ready to offer and place on sale the liberty of our people. If we do not obey them or do not vote for their friends they will immediately say that there are no more Filipinos who can defend our people. From their standpoint we are ignorant persons; therefore they will urge you to vote for individuals of another race, in case that the candidate whom they are supporting does not meet with your approval.

This kind of men, by reason of their selfishness, do not take any interest in the welfare of the province; on the contrary, they abandon it and allow the fame and honor of the Filipinos to be trampled upon. Flee from these men, the most active workers for the candidacy of their friends, who are not sufficiently capable to be the head officials of the province, because they offer and put on sale for a small price the honor and happiness of the Filipinos; and you, electors, they consider as ignorant, blind, and lacking common sense.

We can not understand what men of this kind desire and why they attempt in their depraved ideas that which can injure the Philippines. If there is no illustrious man in your province who is worthy to be governor, or if there should be one who does not deserve your confidence, there are very many illustrious men in Manila from whom you can choose. We can show you celebrated lawyers, doctors, and politicians, and we are also sure that there are persons here born in your province who are worthy and skilled in political matters. Why must you give the preference to a person of whose customs you are ignorant, with whom you can with difficulty make yourself understood and whom you do not know at the bottom, leaving behind your true countrymen, who is the companion of your adversities and miseries? "Tis better to bear the ills we have than to fly to those we know not of."

We recommend to your consideration these few countrymen of ours who suggest unworthy ideas to you, to discover the ends they seek, whether they seek the general good of the Filipinos and the honor of the people or their own profit and that of their friends. If they should come to realize their treasonable works, which we are very far from believing, you would demonstrate in all the province and in all the Philippines that you, the councilors of the towns, representatives of

the same, and defenders of their rights, had been bought by certain men who should not be counted among the Filipinos.

Watch these men who will without doubt move around a good deal in the coming elections to exhort some and seduce others with their various plans to catch them in the snare which they have laid to accomplish their purposes.

Remember that your vote is cast in secret and that they will not know whom you have favored; therefore, even though you have bound yourself, it is not necessary to fulfill the promise, and you can select whom you please without their finding it out.

Every Filipino knows that our enemies from the time of the Spanish régime have tried and still try to keep us from educating ourselves, in order that we may be taken advantage of, and they are the ones who say that we are not worthy of securing power and liberty, because we are even yet ignorant persons.

Therefore, you gentlemen of the council, representatives of the towns, are in a position to demonstrate to the world in the coming elections that we Filipinos have really capable men and that they are also ready to govern our provinces.

Gentlemen and brothers, councilors of the towns, if a tree is known by the richness of its fruit, in the same manner is a town or province judged by the good qualities of him who governs it, who must be as a looking-glass in which his beauty can be viewed.

You, gentlemen, in whom your fellow-townsmen have placed their confidence, in order that you might defend their rights and that you might interest yourselves in the welfare of the Filipinos, will not despise the many sacrifices of lives and sufferings that have been endured by your brethren in the mountains for the purpose of securing liberty. You will not show that you are the representatives of certain wicked Filipinos and that you have let our country drag in the mud which has stained the Philippines; on the contrary, demonstrate in the coming elections that you are worthy of the high honor of being the legitimate representatives of the people who have intrusted to you the defense of their rights, and that you are not of the plebeians who can be bought by a simple request.

If you are still in doubt as to what we have stated, inquire of your illustrious and wise countrymen in this capital whether the election by you of an incompetent Filipino or of a foreigner to the governorship will be a source of damage or profit to the Philippines. The honorable Civil Commission have stated on several occasions when establishing government therein that their great desire was to have Filipinos given preference over Americans in gubernatorial appointments.

In conclusion, worthy brothers, be guided by your own proper judgment in the elections of next February and do not let yourselves be corrupted by certain Filipinos who are now our secret enemies.

Respectfully.

S. REYES, *Democrat*.
R. GUZMAN, *Federal*.
AURELIO TOLENTINO.

No. 9.

MANILA, P. I., *December 31, 1901.*

Gen. ADNA R. CHAFFEE, U. S. Army,

Commanding Division of the Philippines, Manila, P. I.

Referring to our recent conversation as to the ability of the constabulary to maintain peace and order in the provinces in which civil government has been established, and thereby in whole or in part to relieve the military authorities of that burden, I have the honor to state that I have requested Capt. Henry T. Allen, Chief of Philippines Constabulary, to furnish me a written statement covering the subject. This statement has been submitted to-day and I herewith inclose a copy thereof.

I have taken up this matter with Captain Allen and his first assistant, D. T. Baker, jr., and have gone over the ground with them carefully.

In addition, I have reports from all provincial officials as to the situation in their respective provinces. From these and other reliable sources I am satisfied that Captain Allen's statement is extremely conservative and I believe may be acted on with safety.

Should you see proper to withdraw troops from the points named herein, I beg to state that the civil authorities will assume the responsibility of preserving order. The suggestion which he makes, that he should be notified shortly prior to the withdrawal of any troops, to the effect that constabulary may be substituted, is, of course, essential for various reasons.

It is believed that with thorough cooperation between the military and civil authorities as to their respective movements in the provinces mentioned, it is now feasible for you to carry out the policy outlined herein in General Orders, No. 179. It will afford me great pleasure, should it be agreeable to you, to discuss this matter personally in detail.

I have the honor to be, very respectfully,

LUKE E. WRIGHT,
Acting Civil Governor.

HEADQUARTERS OF THE PHILIPPINE CONSTABULARY,

Manila, P. I., December 28, 1901.

THE SECRETARY OF COMMERCE AND POLICE,

Manila, P. I.

Regarding the question of the withdrawal of troops from certain posts without detriment to the maintenance of order, and replacement in most cases by constabulary detachments, I have the honor to state that many changes can now be made. I would suggest, however, that the process be gradual, looking to the completion of what is stated below about March 31.

The following posts may, in my opinion, be evacuated by United States troops within this limit of time, with the understanding, however, that strategic points be held by garrisons strong enough to produce the necessary moral effect.

On the North: Banaag Light-House, Batoc, Curriniao, Dingras, Iloilo Beach, Pacay, Salsona, San Miguel, and Vintar.

On the South: Amulung, Baggao, Camanalingan, Buguey, Calveria, En-

rile, Gattaran, Iguig, Lallo, Linao, Pamplona, Piat, Sanchez, Mira, Santo Niño, Solano, and Tumauini.

Abra: No troops necessary.

Ilocos Sur: Bantay, Cabagas, Lapo, Navacan, Salomague, San Emilio, Santa Maria, Santiago, and Dinait.

Lepanto: No troops necessary.

Bontoc: No troops necessary.

Isabela: Angadanan, Cabagan Nuevo, Carig, Cauayan, Cordon, Gamu, Malanu, Reina Mercedes, San Isabela, San José, San Luis, Santa Maria, and Urdaneta.

Nueva Viscaya: No troops necessary.

Benguet: No troops necessary.

La Union: Aringay, Balacang, Bangar, Bagnotan, Naguilian, Namagpacan, Rosario, San Gabriel, San Juan, and Santa Tomas.

Pangasinan: Asingan, Bautista, Binalonan, Humingan, Malasiqui, Manaog, Mangataren, Magaldan, Santa Maria, Pozorubio, Rosales, San Carlos, San Jacinto, San Manuel, and Sual.

Zambales: Agno, Alaminos, Bolinao, Tabangan, Candelaria, Castillejos, Eguia, Infanta, Masinloc, Palauig, San Antonio, San Felipe, San Fernando, San Isidro, San Marcelino, and San Narciso.

Tarlac: Capas, Concepcion, Gerona, Mancada, Paniqui, and Victoria.

Nueva Ecija: Aliaga, Bongabon, Cabiao, Carranglan, Quiapo, Pantabangan, Penaranda, and San Juan de Guimba.

Principe: No change.

Pampanga: Arayat, Bacolor, Mabalacat, and Macabebe.

Bulacan: Angat, Calumpit, Haganoy, Malolos, Marilao, Meycauayan, Norzagaray, Polo, Quingua, and Santa Maria.

Rizal: No troops necessary.

Bataan: No troops necessary.

Cavite and Tayabas: No changes until the Batangas-Laguna campaign is ended.

Camarines: Baao, Bato, Binipian, Calabonga, Delapon, Coa, Indang, Iriga, Lupi, Libmanan, Magarao, Mambulao, Minalabag, Nabua, Pamplona, Parcale, Pasacao, Pasacologa, Pili, Pinamalayan, Ragay, Sabang, Dagnay, San Fernando, Tigaon, and Virac.

Albay: Albay, Camalig, Daraga, Palanqui.

Sorsogon: Bacon, Butnag, Bulusan, Gata, Gubat, Irocon, and San Bernardino.

With regard to the rest of the archipelago I will make a report upon my return from the southern islands.

In case these withdrawals of troops were made there would remain the following posts garrisoned by United States soldiers:

Ilocos Norte: Laoag and Badoe.

Ilocos Sur: Vigan and Candon.

Cagayan: Abulug, Aparri, Alcala, and Tuguegarao.

Isabela: Ilagan and Echague.

La Union: San Fernando.

Pangasinan: San Fabian, Dagupan, Tayug, and Bayambang.

Zambales: Dasol, Santa Cruz, Iba, and Subig.

Tarlac: Camiling, Tarlac, and Bamban.

Nueva Ecija: San José, Cabanatuan, and San Isidro.

Principe: Baler.

Pampanga: Angeles and San Fernando.

Bulacan: San Miguel, Baliuag, and Bulacan.

Cavite and Tayabas: Stations would remain unchanged.

Camarines: Daet, Nueva Caceres, and San José.

Albay: Tobacco, Guinobatan, and Legaspi.

Sorsogon: Donsol, Sorsogon, Bulan, and Matnog.

When troops are to be withdrawn it is respectfully requested that these headquarters be informed at least ten days in advance, and further yet in advance if practicable.

Very respectfully,

HENRY T. ALLEN,
Chief Philippine Constabulary.

OFFICE CIVIL GOVERNOR PHILIPPINE ISLANDS,
Manila, P. I., January 3, 1902.

Maj. Gen. ADNA R. CHAFFEE, U. S. Army,
Commanding Division of the Philippines, Manila, P. I.

SIR: Referring to my letter of the 31st ultimo, I have the honor to request that the fourth page of Major Allen's letter, inclosed herewith, be amended, under the "Province of Alba," to read "Tobacco, Guinobatan, and Legaspi," instead of "Liago, Guinobatan, and Legaspi."

I have the honor to be, very respectfully,

LUKE E. WRIGHT,
Acting Civil Governor.

HEADQUARTERS PHILIPPINES CONSTABULARY,
Manila, P. I., February 1, 1902.

The EXECUTIVE SECRETARY, *Manila, P. I.*

SIR: Continuing the subject referred to in my letter of December 28, 1901, relative to the withdrawal and concentration of United States forces, I have the honor to state that troops at the following posts in the islands other than Luzon (which was reported on in said letter) may be withdrawn by the end of March of the present year without prejudice to the maintenance of order:

In three provinces in the Island of Panay all posts except the capital of each one, namely, Iloilo, Capiz, and San Jose.

In the province of Oriental Negros the military may be concentrated at any time at Dumaguete, abandoning all other posts.

In the province of Occidental Negros the senior inspector reports that he must have 200 men to control this province if the military be concentrated at Bacolod.

In the province of Cebu all posts may be withdrawn except Cebu and Dumanguet.

In the province of Leyte I understand that the commanding officer of the brigade contemplates within a very short time the removal of all posts, except Tacloban, Ormoc, and Maasin.

In the province of Masbate, Romblon, and Marinduque not more than one post in each is necessary now, and within the allotted time all the troops could be withdrawn from them.

In the province of Surigao no military is necessary.

In the province of Misamis troops may, at any time, be concentrated in the two towns of Iligan and Misamis.

Mindoro, Samar, and Bohol remain under the military. There is no reason, however, why Bohol should not be organized under civil government at any time, in which case, presumably one post will suffice by the date set.

The above contemplates the abandonment of the following towns now held by the military.

In the province of Iloilo: Sara, Aqui, Colasi, Banate, Passi, Lambunao, Pototan, Barotac Nuevo, Zarraga, Cabatuan, Pavia, Jaro, Santa Barbara, San Miguel, Tigbauan, Igaras, Miagao, Tubungan, Almodian, and Maasin.

In the province of Capiz: Ibajay, Tangalan, Calivo, and Batan.

In the province of Antique: Pandan, Sebaste, Bugason, Valderama, Patnongon, and Dao.

In the province of Oriental Negros: Danao, Calatrava, San Carlos, Valle Hermosa, Bais, and Bayauan.

In the province of Occidental Negros: Silay, Valladolid, La Carlota, Castellana, Isabela, Cabancalan, and Guilhungan.

In the province of Leyte: Caragara, Biliran, Jaro, and Tanauan.

In the province of Cebu: Bogo, Cadmon, Danao, Liloan, Naga, Argao, Oslob, Balamban, and Tuburan.

In the province of Masbate: The town of Masbate.

In the province of Romblon: The town of Romblon.

In the province of Marinduque: Boac, Santa Cruz de Napo, Caut, and Gasan.

In the province of Surigao: Surigao and Butuan.

In the province of Misamis: Langaran, Manella, Oroquieta, Aloran, Jimenez, Tudela, and Cagayan.

Very respectfully,

HENRY T. ALLEN,
Chief Philippine Constabulary.

**STATIONS ABANDONED BY THE MILITARY IN FIRST SEPARATE BRIGADE.
DEPARTMENT OF NORTH PHILIPPINES, SINCE JANUARY 1, 1902.**

Pangasinan Province.—Sual, San Jacinto, Asingan, Malasiqui, Mangaldan, Manaoag, San Manuel.

Abra Province.—Pidigan, San Quintin.

Union and Benguet Provinces.—Aringay, Naguilan, Santo Tomas, Rosario, Rosario Road Construction Camp, Bagnotan, Balaoan, San Juan, Namacpacan, Trinidad.

Ilocos Norte Province.—Badoc, Salsona, Piddig, Batac, San Miguel.

Ilocos Sur Province.—Santa, Tagudin, Candon, Narvacan, Santiago.

Cagayan Valley.—Claveria, Bagabag, Sanchez Mira, Piat.

**STATIONS ORDERED ABANDONED BY THE MILITARY, FIRST DISTRICT.
DEPARTMENT OF NORTH PHILIPPINES.**

Abra Province.—Bangued.

Union Province.—Bangar, Baguio.

Ilocos Sur Province.—Banguì.

STATIONS ABANDONED BY THE MILITARY IN THE SECOND SEPARATE BRIGADE, DEPARTMENT OF NORTH PHILIPPINES, SINCE JANUARY 1, 1902.

Zambales Province.—Cabangan, San Narcisso.

Bulacan Province.—Polo.

Nueva Ecija Province.—Aliaga, Carranglan.

During the same time the only changes in the Third Separate Brigade were at Mendez Ninez, which was garrisoned January 6 and abandoned January 16.

HEADQUARTERS DEPARTMENT OF NORTH PHILIPPINES,
Manila, January 24, 1902.

ADJUTANT-GENERAL, DIVISION PHILIPPINES,
Manila:

Following stations in Fourth Brigade have been abandoned since the 1st of January: Magarao, January 2; Ligao and Polangui, January 3; Pandan, island of Catanduanes, will be abandoned about January 30, as soon as the launch *Sacramento* is available to move troops. San Fernando and Minalabaga, substations of Nueva Caceres, were abandoned December 21.

WHEATON,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT NORTHERN LUZON,
February 1.

ADJUTANT-GENERAL DIVISION,
Manila:

Namacpacan has been abandoned as a station. It was formerly occupied as a station by Troop A, Third Cavalry. A detachment, consisting of a noncommissioned officer and five men, are still at Bangar, guarding property.

WHEATON,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT NORTH PHILIPPINES,
Manila, February 1, 1902.

ADJUTANT-GENERAL, DIVISION OF THE PHILIPPINES,
Manila:

The station at Concepcion, Tarlac Province, has been abandoned.

WHEATON,
Major-General, Commanding.

Official copy respectfully furnished His Excellency William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSON,
Executive Secretary.

OFFICE EXECUTIVE SECRETARY PHILIPPINE ISLANDS,
Manila, P. I., February 6, 1902.

No. 10.

15th RAJAB, 1319—OCTOBER 28, 1901.

HADJI MOHAMAD JAMALUL KIRAM,
Sultan of Jolo, Maibun.

PETITIONS FOR EXTENSION OR CONTINUATION OF THE FREE-TRADE
 PRIVILEGE NOW ENJOYED BY THE MORO PEOPLE.

[Translated copy.]

This letter from your son, who loves you and is loved by you, the Sultan of Jolo, Hadji Mohamad Jamalul Kiram, to his father, who loves him and is loved by him, the governor of Jolo, Major Williams:

As the days go by our hearts grow sadder, because the day will soon come when the privilege of free entry for us Moro people will cease. Therefore we write to you, as it is very important to us, and beg you to assist us, as you are supposed to stand instead of our father and mother toward us Moro people.

Your desire is that we Moro people should become traders like the Chinese, and that we should become as other people are. Now, we trust that you will assist us and be our mediator to our father, the governor-general of the Philippines, for extension of free entry for us Moro people. I hope you will take into consideration that we Moro people only just started the trade, this free entry, which you gave us, your children, through our father, the governor-general of the Philippines, giving us encouragement. At present there is myself and some of my subjects interested in trading, but we are only pupils yet, not masters of the profession, but the free entry is a help to us.

Now, if it would be certain that the free entry would be extended, there would be many of my subjects who would follow our example and start trading; otherwise it would be hard on my people, because they are poor, and I do feel for them.

Some of them have not started in trading, others have only started to cultivate the soil. Those that have done the trading—following our example—they see the benefit of trading; they see that it enlarges their wisdom, changes their ideas, and makes them think about better things. It gives hope that it will do good to my subjects, and will bring order into the country. But what is one year! It is not enough to make them competent to compete with the Chinamen, as it is too short a time, and if free entry should be stopped the duties would be too hard altogether. All necessities of life would almost double in price, and my subjects have not been accustomed to pay duties. You are here in Jolo instead of our father, who is the first to help us, who will do his best for us, his children, the Moro people. Therefore we look toward you, hoping and expecting that you will do your utmost to persuade our father, the Governor-General in Manila, to extend the free entry for us Moro people until such a time when my subjects will be better off and the country in a better condition.

Let us hope that the time will come when the Moro people will be more like their brothers the Americans.

[First indorsement.]

Jolo, P. I., November 7, 1901.

Respectfully forwarded through the adjutant-general, Department of Mindanao and Jolo. The question has recently been brought to the attention of the civil authorities by the collector of customs for the port of Jolo, who personally communicated to me his views and action. The most important feature of his report (barring the broad question of customs duties generally) was in connection with the "Chinese tobacco," on which the tariff is practically prohibitive. The Moros are the principal, almost the only consumers of this article, and it appears that its introduction does not conflict with the interests of Filipino tobacco producers. It is held that a light duty or free importa-

f this article would probably satisfy the Moros with the tariff on other articles, and in considering the question proposed it is advised the tariff on Chinese tobacco be materially modified. Regarding divisibility of duties on articles generally, the former concessions made on grounds of poverty on the Moros. This state has not really changed; whether at all for the better is doubtful. I learn Moro who admits that he is better off financially than formerly, numerous rumors reach me to the effect that the exactions of the become more onerous and protection by him against thieves less depended on. The governmental organization does not seem to be able to enable me to enforce strict compliance with the spirit in the concession was made; nor do I see how at present to prevent importation of the goods introduced free for the benefit of Moros from other classes; thus, as a matter of course, affecting trade in articles by those who would otherwise import under customs regulations. I have no doubt that this question has been so thoroughly discussed before those in whose control it entirely rests as to render any further suggestions from me unnecessary to a full understanding.

C. A. WILLIAMS,
Major, Seventeenth Infantry, Commanding

[Second indorsement.]

HEADQUARTERS DEPARTMENT MINDANAO AND
JOLO AND SEVENTH SEPARATE BRIGADE,
Zamboanga, P. I., November 9, 1901.

Respectfully forwarded to the adjutant-general, Division of the Philippines. Until the Moro situation is the subject of a thorough over-sight and the status of so-called sovereigns is fixed and determined, can be effected only through far-reaching legislation, I hope the laws for the Moros will not be changed. The present tariff requires the payment of a duty of 90 cents Mexican a pound in imported manufactured tobacco. Such a charge is of course prohibitive but in Jolo there is no infant industry to protect, and they wish to continue to use Chinese tobacco done up in a particular way. I hope they may be permitted the continuation of that one privilege.

GEO. W. DAVIS,
Brigadier-General, U. S. Army, Commanding.

[Third indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 19, 1901.

Respectfully referred to the Hon. Luke E. Wright, vice civil governor of the Philippine Islands, Manila, P. I., attention invited to the communication and second indorsement. If within the legislative power of the United States Philippine Commission, I recommend removal of the tariff on Chinese tobacco referred to in this communication at Jolo.

ADNA R. CHAFFEE,
Major-General, U. S. Army, Commanding.

[Fourth indorsement.]

OFFICE OF THE CIVIL GOVERNOR
OF THE PHILIPPINE ISLANDS,
Manila, P. I., November 22, 1901.

Respectfully referred, by direction of the acting civil governor, to the collector of customs for the Philippine Archipelago, Manila, P. I.

A. W. FERGUSON,
Executive Secretary.

[Fifth indorsement.]

OFFICE OF THE COLLECTOR OF CUSTOMS
FOR THE PHILIPPINE ARCHIPELAGO,
Manila, P. I., November 29, 1901.

Respectfully returned to the executive secretary of the Philippine Islands, inviting attention to reports of this office to the Hon. Henry C. Ide, secretary of finance and justice, dated November 20 and 21, 1901, copies herewith inclosed. Nothing can be added to the statements and recommendations made in those two reports, except by calling attention to the following quotations from the narrative report of the deputy collector of customs at the port of Siassi, Jolo Archipelago, dated November 4, 1901:

Because of the continued and large fines levied by the Sultan, the Moros are continually in a state of poverty. * * * Because of the Moro free-entry privilege, the Chinese merchants can not compete with the Moro merchants, and therefore the receipts of this office (Siassi custom-house) have been continually decreasing.

It will be noted, also, that Gen. George W. Davis, in his indorsement of November 9, closes with the following:

I hope they may be permitted the continuation of that one privilege.

This one privilege appears to be also the one referred to by the major-general commanding Division of the Philippines, in his indorsement of the 19th instant, to-wit, the tobacco privilege.

Reference to the above-mentioned reports of this office will show its recommendations in regard to duties upon tobacco imported from China into the Jolo Archipelago.

W. MORGAN SHUSTER,
Collector of Customs for the Philippine Archipelago.

[Sixth indorsement.]

OFFICE OF THE CIVIL GOVERNOR OF THE PHILIPPINE ISLANDS,
Manila, P. I., December 5, 1901.

Respectfully referred, by direction of the acting civil governor, to the honorable, the secretary of finance and justice, Manila, P. I.

A. W. FERGUSON,
Executive Secretary.

[Inclosure to fifth indorsement.]

NOVEMBER 21, 1901.

Hon. HENRY C. IDE,
*Secretary of Finance and Justice,
United States Philippine Commission, Manila.*

SIR: Referring to my indorsement of this date upon a letter from the collector of customs at Jolo, addressed through this office to the

honorab!e civil governor of the Philippine Islands, I have the honor to submit the following statement:

The collector of customs at Jolo recommends that act No. 64 be either modified so as to limit the importations free of duty made hereunder by any one Moro, or that it be repealed altogether, but that tobacco imported by the Moros be admitted at a much lower rate than is prescribed in act No. 230—the tariff-revision law of 1901.

The collector at Jolo states, in other communications on this subject, that this privilege has been a source of considerable annoyance and trouble, to say nothing of the actual loss of revenue, and that if it were revoked, “as a large majority of the inhabitants believe it should be,” the merchants of Jolo would be encouraged to extend their lines of business and to open up relations with the people south of that place.

He states, furthermore, that if this privilege be revoked it is vitally necessary that the above-mentioned reduction in the duty on tobacco should be made, as otherwise it would be very difficult to prevent the smuggling of that article with the present high duties thereon. The Moros are said to be very fond of Chinese tobacco, which costs about 5 cents, American, a pound in Singapore. Under the tariff-revision law of 1901 this tobacco pays \$2 per kilo, net weight—an intentionally prohibitive rate.

In a recent conversation with Judge George P. Whitsett, of the fourteenth judicial district, and stationed at Jolo, this office was informed that the following abuse existed under the terms of the Moro ree-entry act: The secretary or assistant of the Sultan goes on periodical trips to China and, with money collected from various sources—Chinese merchants among others—purchases considerable quantities of merchandise, which are admitted duty free. A good proportion of these articles may be found for sale at Jolo in the various Chinese shops, whose owners have a “pull” with the Sultan or his secretary. Such a practice is, of course, prejudicial to the general commercial interests of the Jolo Archipelago, since not only does the insular government lose the revenues on the goods in ordinary quantities which are admitted free, but the unrestricted nature of this privilege drives all the “unfavored” merchants out of trade, with additional serious loss to the insular revenues.

It is to be noted, also, that so long as coastwise trade is permitted or exists between the Jolo Archipelago and the rest of the Philippine Islands, especially under present conditions, there will be no little danger that goods which enter Jolo free of duty will eventually find a market in other ports and places of the Philippines. Such a result is only a matter of time if the present conditions are allowed to continue.

In view of the above I have the honor to recommend:

First, that the clear reading of act No. 230, repealing, as it does, act No. 64, be allowed to stand and be so construed, and

Second, that an act be passed giving the Moros the privilege, for a specified and limited time, of importing Chinese tobacco in reasonable quantities, to be determined by the collector of customs at Jolo, for their own bona fide personal consumption, at the rate of 25 cents per kilo, net weight, and that so much of letter B of paragraph No. 364 of act No. 230 as is inconsistent therewith be to that extent modified and repealed.

This course, it is believed, would produce great benefit in the general commercial situation of Jolo, and no little addition to the insular revenues.

Very respectfully,

W. MORGAN SHUSTER,
Collector of Customs for the Philippine Archipelago.

NOVEMBER 20, 1901.

Hon. HENRY C. IDE,
Secretary of Finance and Justice, Manila.

SIR: I have the honor to invite your attention to the following statement:

A report has been received by this office by the collector of customs at Jolo, recommending that act No. 64 of the United States Philippine Commission be amended so as to limit the amount of goods which each Moro may be allowed to import thereunder. Pending action on that report, and in considering what recommendation should be made thereon, it has just occurred to me that the tariff-revision law of 1901—act No. 230 of the United States Philippine Commission—has revoked act No. 64, above referred to.

Section 1 of act No. 230 reads as follows:

SEC. 1. The provisions of General Orders, No. 49, office of the United States Military Governor in the Philippine Islands, dated October 23, 1899, relating to customs duties on imports and exports of the Philippine Islands, and tonnage duties and wharf charges therein, and the several orders supplemental thereto and amendatory thereof, are hereby amended to read as follows. * * *

Section 2 reads as follows:

SEC. 2. Duties shall be collected on all articles, goods, and merchandise imported into the Philippine Islands at the rates hereinafter provided, except when expressly exempted from duty by this act.

Section 20 thereof reads as follows:

SEC. 20. All existing decrees, laws, regulations, or orders, so far as the same are inconsistent with the provisions of this act, and the tariff and duties, rules and regulations hereby enacted, are to that extent repealed, such repeal to take effect at the time when said tariff and duties shall go into force and effect. * * *

In the discussions, public and private, concerning the tariff revision law of 1901 the undersigned never heard any reference made to the Moro free entry privilege in act No. 64, and in fact was not aware of the existence of such a law until some time after act No. 230 had been passed.

In view of the present situation, information is requested as to what action shall be taken by this office to instruct the collector of customs at Jolo as to the collection of duties on all importations since 12 o'clock midnight on November 14, 1901. The collector there evidently has not realized the repealing effect of act No. 230, and is doubtless continuing to pass importations free of duty for the Moros.

If it is decided that it was not the intention in passing the repealing clauses of act No. 230 to revoke act No. 64, it is respectfully requested that careful consideration be given to certain alleged abuses of the privilege, as to which this office will forward a report at an early date.

In view of the fact that the collector at Jolo may be held legally

possible for the duties on all merchandise admitted free by him since 12 o'clock midnight on the 14th instant, I beg to request an early reply to this letter. Cable instructions to charge duties have not been sent already to the collector at Jolo only because of the political nature of the case.

Very respectfully,

W. MORGAN SHUSTER,
Collector of Customs for the Philippine Archipelago.

NOVEMBER 23, 1901.

MORGAN SHUSTER, Esq.,
Collector of Customs for the Philippine Archipelago,
Manila, P. I.

SIR: Referring to your letter of November 20, wherein you call attention to the question as to whether act No. 64 has not been repealed by act No. 230, and as to the instructions that ought, in view of the repealed act, to be given to the collector of customs at Jolo, there are political questions involved in the subject of such character that it is not deemed advisable at this time to give effect to act No. 230 as repeal of act No. 64 until the matter can be further considered by the United States Philippine Commission. In the meantime the collector at Jolo may possibly be in a legal sense responsible for all merchandise admitted free by him since 12 o'clock midnight on the 14th instant, yet if such should be the case he will be protected by the subsequent legislation upon this subject. The whole matter has a political bearing of such a nature that immediate change in the conduct of the business at Jolo in this respect is especially undesirable.

Very respectfully,

HENRY C. IDE,
Secretary of Finance and Justice.

PHILIPPINE CUSTOMS SERVICE,
Jolo, P. I., October 22, 1901.

MR. WILLIAM H. TAFT,
Civil Governor, Manila, P. I.

(Through the collector of customs of the islands.)

SIR: I have the honor to inclose herewith a statement of goods imported at this port by Moros free of duty from January 1 to September 30, 1901. I most respectfully recommend that conditions of act No. 64, United States Philippine Commission, be amended so as to limit the amount that each Moro be allowed to import at one time. At present I do not believe that Moros, as a people, profit by the act so much as a few individuals. That is, some of the Moros, either with their own money or that of Chinese, buy and import the bulk of these goods and sell them to their own people or to the Chinese, who in turn sell to the Moros. As an instance of this, on the last steamer from Singapore one Moro entered 155 packages.

The principal item of import is, as you will see by the statement, Chinese tobacco, and as this is the leading import, so is it the

stumbling block in the eyes of the Moros toward any change in act No. 64. This tobacco is a necessity to them. The Chinese, who do not use it themselves to any extent, do not import it because of the high duty. I am informed by the representative of the Moros here that could a material reduction be made on the present duty (\$2.728 Mexican per kilo) that the Moros would not object to any change in the act which the Commission saw fit to make. Because of this fact, and also as the importation of Chinese tobacco into this archipelago does not conflict with any other interest, I respectfully recommend that such a reduction be made.

Very respectfully,

R. M. CORWINE,
Collector of Customs, Port of Jolo.

Imports by Moros from January 1 to September 30, 1901, under act No. 64, United States Philippine Commission.

Description.	Quantity.	United States currency.	
		Values.	Approximate duties.
Books	pounds.. 53	\$8. 00	\$1. 00
Brass ware	do... 419	50. 00	32. 00
Cattle	head.. 5	100. 00	48. 00
Candles	pounds.. 444	28. 00	14. 00
Condensed milk	do... 88	10. 00	6. 00
Cotton tissues	do... 37, 346	8, 609. 00	4, 321. 00
Crockery	do... 698	65. 00	15. 00
Eggs	dozen.. 225	10. 00	38. 00
Fruits	pounds.. 9, 625	235. 00	110. 00
Furniture	do... 471	55. 00	13. 00
Gambler	do... 6, 485	155. 00	41. 00
Glassware	do... 832	67. 00	7. 00
Iron and steel manufactures	do... 220	5. 00	6. 00
Kerosene oil	gallons.. 4, 669	964. 00	47. 00
Matches	gross.. 125	313. 00	168. 00
Rice	pounds.. 74, 244	1, 799. 00	212. 00
Silk	do... 13	38. 00	36. 00
Soap	do... 156	7. 00	2. 00
Sugar (refined)	do... 11, 838	337. 00	35. 00
Sundries	do... 17, 024	3, 320. 00	1, 160. 00
Tobacco (Chinese)	do... 50, 570	9, 141. 00	31, 316. 00
Woodenware	do... 694	86. 00	70. 00
Cotton yarn	do... 12, 086	1, 790. 00	431. 00
Total		27, 194. 00	38, 568. 00

[First indorsement.]

OFFICE COLLECTOR OF CUSTOMS
OF PHILIPPINE ARCHIPELAGO,
Manila, P. I., November 21, 1901.

Respectfully forwarded to the Hon. Luke E. Wright, acting civil governor of the Philippine Islands, through Hon. Henry C. Ide, secretary of finance and justice, inviting attention to a report from this office, dated November 20, 1901, regarding the revocation of act No. 64 by act No. 230, both of the United States Philippine Commission, and to the accompanying report of this date.

W. MORGAN SHUSTER,
Collector of Customs for the Philippine Archipelago.

BONGAO, P. I., *June 30, 1901.*

The ADJUTANT-GENERAL,

THIRD DISTRICT OF MINDANAO AND JOLO,

Jolo, P. I.

SIR: I have the honor to submit the following report for the quarter ending June 30, 1901:

* * * * *

The privilege granted Moros of bringing in goods free of duty is taken advantage of by about thirty Moro traders in this group. They go in native boats to Sandakan and other points in Borneo and bring about \$50 worth of goods at a time. I see no reason why the privilege should not be extended indefinitely, as long as it is not abused.

[First Indorsement.]

HEADQUARTERS DEPARTMENT OF MINDANAO AND JOLO,

Zamboanga, P. I., July 24, 1901.

Respectfully forwarded to the adjutant-general, Division of the Philippines. The original copy of this report is retained at these headquarters. The matters treated in this report have received attention.

W. A. KOBBE,

Brigadier-General, U. S. A., Commanding.

* * * * *

Official extract copy respectfully furnished, by direction of the civil governor, to the honorable the secretary of finance and justice.

A. W. FERGUSON,

Executive Secretary.

OFFICE OF EXECUTIVE SECRETARY

FOR THE PHILIPPINE ISLANDS,

Manila, P. I., September 10, 1901.

No. 104.

GOVERNOR'S OFFICE,

Sandakan, November 11, 1901.

SIR: I have the honor to acknowledge the receipt of your letter dated October 17 asking to be furnished with a copy of the agreement made in 1878 by this company's representative and the Sultan of Sulu.

I herewith forward you a copy of the agreement in question, and I trust it is the one of which you are in need.

I have the honor to be, sir, your obedient servant,

E. W. BIRCH, *Governor.*

Brig. Gen. G. W. DAVIS,

Commanding Headquarters Department Mindanao and Jolo.

HEADQUARTERS SEVENTH SEPARATE BRIGADE,
Zamboanga, P. I., December 14, 1901.

The ADJUTANT-GENERAL,
Division of the Philippines.

SIR: On the 24th day of October I forwarded copies of all the existing treaties, agreements, and capitulations between the Moros of Mindanao and Jolo and the Spaniards.

In a report, under cover of which those papers were forwarded, mention was made of an agreement between the Sultan of Jolo and the present government of the British protectorate of North Borneo. I now have the honor to inclose copy of this convention, through which the founder or agent of the North Borneo Company was vested with all the requisite powers of government of a part of Borneo, over which the sovereign rights of the Sultan of Jolo had been and were recognized and conceded. For these rights so transferred the Borneo Company now pays 5,000 pesos yearly.

That the Sultan has apparently parted with a part of his dominions—for the powers conceded have no limitations as to time of continuance—the transaction is to all intents and purposes a sale of sovereignty.

I request that this paper be filed with others relating to same subject which were forwarded to you on the 24th day of October.

Very respectfully,

GEO. W. DAVIS,
Brigadier-General, U. S. A.

*Commission from the Sultan of Sulu appointing Baron de Overbeck
 Datu Bandahara and Rajah of Sandakan. Dated 22d January.
 1878.*

To all nations on the face of the earth whom these matters may concern: We, Sri Paduka Maulana Al Sultan Mahomet Jamal Al Alam Al Bin Marhom Sri Paduka Al Sultan Mahomet Fathlon, Sultan of Sulu and its dependencies, send greetings:

Whereas we have seen fit to grant unto our trusty and well-beloved friends, Gustavos Baron de Overbeck and Alfred Dent, esq., certain portions of the dominions owned by us comprising all the lands on the north and east coast of the island of Borneo, from the Pandassan River on the northwest to the Sibuco River on the east coast, including among others the States of Paitan, Sugut, Bangaya, Labuk, Sandakan, Kina Batangan, and Mumiang, and all the lands and territories in Darvel Bay as far as the Sibuco River, together with all the lands belonging thereto, for a certain consideration between us agreed: and

Whereas the said Baron de Overbeck is the chief and only authorized representative of his company in Borneo:

Now, therefore, know ye that we, the Sultan Sri Paduka Maulana Al Sultan Mahomet Jamal Al Alam Bin Al Morham Sri Paduka Al Sultan Mahomet Fathlon, sultan of Sulu and its dependencies, have nominated and appointed and do hereby nominate and appoint Baron de Overbeck supreme and independent ruler of the above-named territories with the title of Datu Bandahara and Rajah of Sandakan, with absolute power over life and death of the inhabitants of the country,

with all the absolute rights of property over the soil of the country vested in us, and the right to dispose of the same, as well as the rights over the productions of the country, whether mineral, vegetable, or animal, with the rights of making laws, coining money, creating an army and navy, levying customs dues on home and foreign trade, and shipping and other dues and taxes on the inhabitants as to him may seem good or expedient, together with all the powers and rights usually exercised by and belonging to sovereign rulers, and while we hereby delegate to him of our own free and sovereign will.

And we call upon all foreign nations with whom we have formed friendly treaties or alliances and we command all datos, nobles, governors, chiefs, and people owing alliance to us in the said territories to receive and acknowledge the said Datu Bandahara as the supreme ruler over the said states, and to obey his commands and respect his authority therein as our own. And in case of the death or the retirement from office of the said Datu Bandahara then his duly appointed successor in the office of supreme ruler and governor in chief of the company's territories in Borneo, shall likewise, if appointed thereto by the company, succeed to the title of Datu Bandahara and Rajah of Sandakan, and all the powers above enumerated be vested in him.

Done at the palace of the Sultan at Lipuk, in the island of Sulu, on the 19th of Maharan, A. H. 1295, being the 22d day of January, A. D. 1878.

[First Indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., January 4, 1902.

Respectfully referred to the Hon. Luke E. Wright, vice civil governor of the Philippine Islands, Manila, P. I., in connection with other papers on the same subject transmitted with letter these headquarters December 4, 1901.

ADNA R. CHAFFEE,
Major-General, U. S. A., Commanding.

[Second Indorsement.]

OFFICE CIVIL GOVERNOR PHILIPPINE ISLANDS,
Manila, P. I., January 7, 1902.

Respectfully referred, by direction of the acting civil governor, to Commissioner Ide for his inspection with the request that he return it when through, together with the paper bearing on the same subject now in his possession.

A. W. FERGUSON,
Executive Secretary.

No. 11.

MANILA, P. I., *January 31, 1902.*

DR. T. H. PARDO DE TAVERA,
Civil Commissioner, Manila, P. I.

SIR: I have suggested to some of your associates that a general amnesty be granted for offenses committed in the Filipino-Spanish war, and I now beg to urge upon you the propriety of such action on the part of our Government.

I have learned that the Spaniards are beginning to institute prosecutions in the civil courts for offenses which under the law existing at the time were exclusively military, and in order to understand what the result will be one has but to reflect that at the commencement of the Philippine revolution there was scarcely an educated, prominent Filipino who had not, either in his own person or in that of some near relative, been the victim of some terrible outrage at the hands of the Spaniards. Very naturally when, as a soldier of the revolution, he captured the author of these outrages the suffering which he had undergone led him in many instances into the commission of acts which to him appeared to be simply a just punishment inflicted upon the offender, but which were nevertheless in the eye of the law crimes.

Thus it is evident that if the thing continues the dockets of the courts will be crowded with prosecutions against the flower of the Philippine people.

The very knowledge of the fact that they are liable to these prosecutions will tend to make them restless and prompt them to try to throw off American sovereignty because they know that under a Philippine government such things would never occur. He can not understand why an act which would never have been considered a crime had the short-lived Philippine régime continued should become one simply because we have overthrown it. And I confess that it seems to me there is something in his mode of reasoning. At the time of the commission of these acts they were waging war against the Spaniards, with arms supplied by our Government, and were exercising acts of sovereignty with our approbation and consent.

The history of the world shows that when the people revolt against the sort of tyranny and cruel oppression to which the Filipinos had been subjected they always go to extreme lengths in avenging their wrongs.

No man can listen to the fearful accounts of the cruelties inflicted upon these people without feeling in his heart that they were excusable for almost anything they may have done in the revolution against their oppressors.

We have but to recall the atrocities committed by the people in the French Revolution, a people whose sufferings were as nothing compared to those of the Filipinos under Spanish rule, to convince ourselves that they were as a general rule quite mild in their treatment of the Spaniards, when all the circumstances are considered.

Furthermore, in so far as I am advised, a people has never been systematically prosecuted in the civil courts for acts committed in a state of revolution and war, it being considered the part of wisdom to pardon and forgive them.

Let us suppose for a moment, for the sake of illustration, that our Government, which has succeeded to Philippine rule in the provinces, should make these islands an independent republic, does any one suppose for an instant that we would permit the Filipinos to try our soldiers for acts committed by them in the Philippine-American war? Clearly not; and yet having succeeded to our sovereignty and being charged with the duty of enforcing the laws, they would have just as much right to do so as we have to punish them for acts committed in a war to which we were only parties to the extent that we gave them arms and encouraged them to rebel against Spain. The only distinction between the two cases, aside from the fact that we have the power

enforce our will—and surely might can not convert a right into a wrong—is in favor of the Filipinos, because in the case of our soldiers they could urge that the acts were committed against them, whereas in their case the acts were not committed against us, but rather in our favor, because inflicted upon a common enemy, to wit, the Spaniard. Last, but not less important, if we undertake to punish the Filipinos for acts committed by them against the Spaniards, we must also punish the Spaniards for acts committed by them against the Filipinos, because we can not afford to discriminate against our own people (the Filipinos) in favor of foreigners.

A little reflection will convince anyone that the Spaniards who had anything of this sort against them have long since departed and that it would be impracticable to prosecute them because Spain would not deliver them to us for that purpose, even though we should conclude that no law or treaty stipulation stood in the way.

Before closing I should probably add that there is a lurking fear among some of the people that the Spaniards can more readily get the favor of the authorities than they can, because the former are white and they are brown, and these one-sided prosecutions will tend to increase this feeling.

Very respectfully,

W. A. KINCAID.

MANILA, February 4, 1902.

DR. WILLIAM H. TAFT.

*Civil Governor of the Philippines,
Washington, D. C.*

SIR: We are the interpreters of the desire of the people when we beg you to obtain from the Government, during your stay in Washington, a law of amnesty for all criminal acts committed during the Filipino-Spanish war.

The Spaniards, who do not and never will forgive the Filipinos for having fought and vanquished the Spanish sovereignty in these islands, seek by every means to satisfy their feelings of vengeance, and are now taking advantage of the opportunity which is given them to bring charges before the courts against the Filipinos who may have committed a criminal act during the first revolution. The purpose of the Spaniards is not only to receive a satisfaction for the injuries which they have received, but also to make themselves respected and feared by the people of the places where they reside.

The law makes no distinction and would punish guilty Spaniards as well as guilty Filipinos, but in the practice the only crimes which could be punished are those committed by Filipinos, as the Spaniards who have been guilty of the most atrocious violations of law and justice have already gone back to their country. The courts here can not try them, and if they did their action would be useless, as the guilty ones would certainly never come back, freely or by force, and submit to the penalties which they might have incurred. Those who remain are the Filipinos, who, after having suffered the iniquities of the Government and of the natives of Spain, are at the mercy of the latter, who now claim from the courts the punishment of the injuries received by them and which are nothing, or merely insignificant, if compared to what they did themselves.

Our purpose, however, is not to prove who was guilty of the worst offenses, but to show that, under the circumstances, the only ones who can be tried here are the Filipinos—those precisely who deserve the

most consideration, as they are in their own land, whereas the guilty Spaniards, who are out of the reach of our laws, would escape all trial and all punishment.

One must also remember that if the Filipinos have violated the laws of war and murdered Spanish prisoners, those who are really responsible are the Spaniards. They were the first to treat in a barbarous and inhuman way the Filipino insurgents and those who were simply under suspicion; they shot prisoners, massacred the people of the vanquished pueblos without any distinction of age or sex, and tortured other prisoners so horribly, in order to make them confess, that many died. The Spaniards used to say that such proceedings were natural and of common use in times of war, so that when the Filipinos followed the same methods they did not suspect that they were condemned by the international laws, and believed that, as the Spaniards said, they were explained and justified by the war.

If we add the just indignation of the Filipinos, the feelings of vengeance so strongly excited by the atrocious iniquities of the Spaniards at the time they wanted to impose their domination by terror, nobody will feel astonished if the Filipinos did commit a few crimes; indeed, it is a wonder that they did not exterminate to the last the 12,000 or 13,000 civil and military Spanish prisoners who fell into their hands.

It is not just that the Filipinos alone should be exposed to the action of our courts, and in order to avoid a state of affairs which is contrary to reason, equity, and justice we request an amnesty for all criminal acts committed during the war of the Filipino people against Spanish tyranny.

We have received many compliments and letters on the subject, and remit herewith the copy of a letter sent to one of us by Judge W. A. Kincaid, and to which we beg to call your attention. We feel certain that you will take our petition into consideration, and that, with your assistance in Washington, we will obtain from the Government the passage of the urgent law of amnesty which we are unanimous to request.

We beg you to receive once more the assurance of our adhesion and of our deep sympathy.

T. H. PARDO DE TAVERA,
United States Philippine Commissioner.

JOSÉ R. DE LUZURIAGA,
Commissioner.

A. CRUZ HERRERA.

JOSÉ E. ALEMAN,
Member of Advisory Board.

B. LEGARDA, *Commissioner.*

GREGORIO ARANETA,
Solicitor-General.

FELIPE BUENCAMINO,
Civil Service Member.

JOSÉ ALBERT,
President of Federal Party.

No. 12.

APRIL 18, 1902.

TAFT, Washington:

Now, war finished, beg reduction tariff, full amnesty, including offenses committed in Hispano Philippine war.

ALBERT.

The CHAIRMAN. The committee will remember that on the 2d of May the Secretary of War sent this cablegram to General Chaffee:

[Telegram.]

WAR DEPARTMENT, *May 2, 1902.*

CHAFFEE, *Manila:*

Cable in full Maj. Cornelius Gardener's specifications. Your directions to board to afford Gardener every opportunity are approved. Board should be especially enjoined not to permit the proceeding to assume a character giving the least color to a claim that there is an attack on him or allow it to be in any way diverted from a full and fair investigation of the truth of his charges.

ROOT.

In answer to that has come the following cable:

[Received at War Department May 4, 1902.]

MANILA.

ADJUTANT-GENERAL, *Washington:*

Reference to cable 3d, Secretary of War, send the following: Maj. Cornelius Gardener's first letter contained no specifications on which I could act. From his second letter:

"However, in order to comply with the present instructions, I submit in the form of charges the following data, which are as complete as possible under the conditions in which I am at present situated:

"Charge: The troops that succeeded the volunteers did not keep up the scouting and patrolling system.

"Specification: That the troops stationed in the central towns of Tayabas, to wit, in Lucban, Tayabas, Lucena, and Saviayo, did, in the spring of 1901, for about three months, fail to scout or patrol the country except as escort to wagon trains on the main roads.

"Charge: Burning of barrios or villages.

"Specification: That troops during the fall of 1901 burned a number of barrios belonging to Dolores and adjacent town.

"Charge: Torturing of natives.

"Specification 1: That certain United States troops coming from San Pueblo, in or near the town of Dolores, tortured a native by the water-cure. This during the summer of 1901.

"Specification 2: That the commanding officer at Laguimanoc during the summer of 1901 tortured or maltreated a native boy.

"Specification 3: That troops coming from Lucena or Tayabas on several occasions tortured natives belonging to the pueblo of Pagbilao. This during the summer and fall of 1901.

"Charge: Harsh treatment of natives.

"Specification 1: That men belonging to a detachment of soldiers

stationed at Candelaria, looted a store in that town about the month of November, 1901.

"Specification 2: That a detachment of troops took away from a peaceful citizen of Dolores a pony. This about the month of September, 1901.

"Specification 3. That the house of a native in Candelaria forcibly taken for a smallpox hospital, and afterwards burned by order of the surgeon at Sariaya, and that said native was not remunerated. This, in Candelaria, about July, 1901.

"Specification 4. That First Lieut. George DeG. Catlin did strike with his fist natives of Lucena for failing to take off their hats to him, and did forcibly, with threats, compel a native to deal cards for him. This about September, 1901.

"Specification 5. That First Lieut. George DeG. Catlin, at Catana-uan, did keep in the guardhouse for three days a native without food or water. This about September, 1901.

"Specification 6. That First Lieut. George DeG. Catlin, at Catana-uan, did strike natives in the face for failing to remove their hats. This while he was in command at that post.

"Specification 7. That a party of soldiers attacked with pistols three natives working on the roads near Lucena. This about November, 1901.

"Specification 8. That certain soldiers belonging to a troop of cavalry stationed in Tayabas pueblo did violate five women of that town by force. This in the month of January or February, 1901.

"The dates are approximate, and the facts from complaints made to me stated to the best of my recollection."

CHAFFEE.

The other communications and cablegrams in reference to this matter are as follows:

WAR DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, May 5, 1902.

Hon. H. C. LODGE,
United States Senate.

SIR: Agreeable to your request, I have the honor to transmit herewith cable correspondence with General Chaffee relating to the case of Maj. Cornelius Gardener.

Cable from the Adjutant-General of April 8 to General Chaffee and his reply dated April 9; cable of the Adjutant-General of May 1 and General Chaffee's reply of May 2; cable of the Secretary of War dated May 2 and General Chaffee's reply thereto of May 4.

Very respectfully,

ELIHU ROOT,
Secretary of War.

[Cablegram.]

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, April 8, 1902.

CHAFFEE, *Manila:*

Cable progress investigation charges by Cornelius Gardener directed in letter February 19.

CORBIN.

[Cablegram received at War Department April 19, 1902.]

MANILA.

ADJUTANT-GENERAL, *Washington*:

With reference to your telegram of 8th, your letter February 19, and inclosures received April 4. Same day Maj. Cornelius Gardener directed submit specifications; not yet received. Investigation expedited as quickly as possible.

CHAFFEE.

[Cablegram.]

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, May 1, 1902.

CHAFFEE, *Manila*:

Has Cornelius Gardener filed specifications under investigation ordered February 19. State condition investigation. Cable fully.

CORBIN.

[Cablegram.]

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, May 2, 1902.

CHAFFEE, *Manila*:

* * * * *
Reply as soon as possible * * * cable yesterday concerning Gardener investigation.

CORBIN.

[Cablegram. Received at War Department May 2, 1902.]

MANILA.

ADJUTANT-GENERAL, *Washington*:

With reference to your telegram 1st, Maj. Cornelius Gardener has filed few specifications, very general in character and practically paraphrasing his report. In one instance he gives the name of an officer. The board consists of Col. Theodore J. Wint, Lieut. Col. Joseph W. Duncan, and Capt. Wm. T. Johnston, sitting at Lucena, under instructions to afford Major Gardener full opportunity to substantiate every allegation. Major Gardener has telegraphed Governor Luke E. Wright that investigation has developed into attack on him, and has asked for counsel. First Lieutenant Trent has been authorized to aid him. Wint has been directed to afford Major Gardener every opportunity. The following is his reply:

Capt. Harry H. Bandholtz, governor, has since yesterday acted counsel for Major Gardener, who up to the present declines furnish names any witnesses to board. He has brought several witnesses, but so far his procedure indicates he does not desire full investigation, as ordered. Board has had no desire attack Major Gardener, but is pursuing rigid investigation his allegations, irrespective what he wishes, and will not permit him shape or dictate the course investigation.

Think any objection Major Gardener lays in facts that the board desires to test accuracy of his information and the condition Tayabas when he was governor. Some time must necessarily elapse before the report is completed. Probably many witnesses to be examined

CHAFFEE.

TESTIMONY OF MR. RICHARD V. HUGHES.

(Sworn by the Chairman.)

By the CHAIRMAN:

Q. You live in Philadelphia, I believe?—A. Yes, sir.

Q. That is your home?—A. That is my home.

Q. And you have been in the Army?—A. Yes, sir; for three years.

Q. In one of the volunteer regiments?—A. In the Regular Army.

Q. In what capacity?—A. I was a private at enlistment and a sergeant on discharge.

Q. In what regiment did you serve?—A. In Company H, Eighth Infantry.

Q. Have you served in the Philippine Islands?—A. Yes, sir.

Q. How long were you there?—A. I was there from October, 1900, until October, 1901.

Q. About a year?—A. About a year.

Q. Where else did you serve?—A. In Cuba, from December, 1898, until July, 1900.

By Senator CARMACK:

Q. What is your business now?—A. I am a representative of a life-insurance company.

Q. I do not remember very clearly what I read in regard to your statement, Mr. Hughes. While you were in the Philippines, did you observe any application of what is known as the "water cure"?—A. Yes, sir; one occasion.

Q. (Continuing.) Or any excesses or brutalities in connection with it? Just relate the whole circumstances in your own way.—A. It was in September, I think it was the 26th of September, if I remember rightly, on a Thursday, 1901. We left Magdalena, in Laguna Province, with a detachment of Company H under command of Lieutenant Merchant, to capture some rifles supposed to be in a cuartel about 6 miles distant, and also some insurrectos. We arrived there early in the morning and found the bird had flown, as generally was the case. Lieutenant Merchant seemed provoked that the insurrecto leader he hoped to find had gotten away and that we could get no information, and he had a private (Private Haler, who, I believe, resides in Pittsburg) strike this native and knock him down.

Q. Who was this, an insurrecto?—A. An insurrecto they captured at the barrio there.

By the CHAIRMAN:

Q. Who was he?—A. A native Filipino; whether he was an insurrecto or not I can not say. He had no arms.

Q. He was knocked down?—A. Yes, sir; by this Private Haler, under orders of Lieutenant Merchant. He then could not give any further information in regard to the whereabouts of this insurrecto leader, and he was knocked down the second time, and after that

Lieutenant Merchant saw he could not get any information from him, and he proceeded to the cuartel, which is about ten minutes' walk farther. The guide we took with us from Magdalena told us we would find the arms and the soldiers in that place. As was usually the case, when we got there they had also gone. Lieutenant Merchant was under the impression that this guide was prevaricating, and he lectured him and had him whipped with a branch of a tree. He was whipped by two natives which we took from the post at Magdalena. He also had the water cure administered to him. As I have said, that case of water cure was the only one I ever witnessed, and, to my mind, while those people are very barbarous, and savages to a certain extent, I do not think we ought to resort to that ourselves. But the statement made in the Philadelphia Times is a little in error, inasmuch as it said that I had said they stripped the native, which was not true; the reporter got that a little wrong. They simply had him remain on the ground—in fact, made him sit down—and they pushed him back and forced this water down his mouth, keeping his mouth open with a stick. He was allowed to get up again, but he could not give any further information. This was the place the insurrectos were at the time, where he was leading Lieutenant Merchant, and Lieutenant Merchant had him whipped again by this native guide, and also had some more water poured down his mouth, to such an extent that he was unable to walk; he was very weak. We remained there for about an hour to allow this man to recuperate, as it were. At that place, at that cuartel, there were three additional houses, occupied by some women, and one of the women was a cripple. On leaving there Lieutenant Merchant had these houses burned, and of course these women had to get out, and he left this cripple woman there without any house, and everything they had was burned.

Q. Was it your impression from what you saw in regard to this guide that he was acting honestly?—A. Yes, sir; he was caught by a detachment, I think a detachment from Company K, and brought into Magdalena, and he gave this information to Lieutenant Merchant, and, as I say, he was supposed to lead us out there to capture those people. He said they were there. He said that he had been there with them the day they were there, and he was sent out there to get some rice for them. On his way back again the detachment of Company K captured him and brought him to Magdalena, and then, as I have stated, we took him out there in order to capture these people; but we were unfortunate; we were unable to get them.

By Senator ALLISON:

Q. How much of a detachment was that?—A. About 35 men.

Q. Thirty-five men from your company?—A. Yes, sir.

By the CHAIRMAN:

Q. Did you see any other cases of water cure?—A. That was the only one I ever witnessed. I knew of several others from hearsay, but I never witnessed any others myself.

Q. What was the general character of the treatment of the natives by the soldiers?—A. In our command they did not treat them harshly at all. In that case they would whip the man, because he had no further information to give them, and you can very readily see that you can tell whether a man is telling the truth or not.

By Senator ALLISON:

Q. How much of a stick was this?—A. A whip about 3 feet long; a thin limb of a tree.

Q. What sort of a tree?—A. I could not tell you.

Q. Simply a switch, was it?—A. Yes, sir; a branch. It was enough to be applied by giving it the power of a man back of it.

Q. He felt it, you think?—A. Oh, yes; because he whimpered and his knees were bent.

By Senator CULBERSON:

Q. What was the character of the stick they knocked him down with?—A. They knocked him down with the man's fist; that is, Private Haler's; they did not knock him down with a stick.

Q. They knocked him down two different times, you said?—Yes, sir.

The CHAIRMAN. The man knocked down was not the same man that they hit with a switch?

The WITNESS. No, sir.

Senator CULBERSON. Was the man knocked down the same man they gave the water cure to?

The WITNESS. No, sir.

Senator CARMACK. No; it was a different man.

The WITNESS. He was a guide they submitted the water cure to.

By Senator CULBERSON:

Q. You said you had not seen any other water cure administered, although you had heard of others. Did you see any other harsh treatment of Filipinos?—A. No; I can not say that I have.

Q. Either by knocking them down or by whipping them, or any other way?—A. No; with the exception of utilizing prisoners to carry an officer's wife 7 miles over muddy roads.

Q. How is that?—A. They carried an officer's wife 7 miles—from Santa Cruz to Magdalena.

Q. How did the natives carry her?—A. A kind of a chair was constructed with bamboo poles, and relays of natives—I think 3 in front and 3 in the back—no, 12 altogether, 3 on each side.

Q. Constituting a sort of a pack team?—A. Somewhat of a pack team. He and Mrs. Merchant and his mother, I believe, came from Santa Cruz up to Magdalena, and they were carried up that way.

Q. How far is that?—A. About 7 miles; using the men, of course, to guard them; that is natural; and also using the native police and the soldiers to guard them from Santa Cruz to Magdalena.

Q. Did you witness any other incident in which the natives were used as pack horses?—A. No, sir; that is the only one.

Senator RAWLINS. Where is Santa Cruz?

The WITNESS. On the Pasig River, about 87 miles from Manila, in Laguna Province, in Southern Luzon.

Senator ALLISON. Was this a mountainous road?

The WITNESS. No, sir; it was rough, but not mountainous at all.

By Senator CULBERSON:

Q. You spoke of certain houses being burned there by order of Lieutenant Merchant?—A. Yes, sir.

Q. How many were burned?—A. Four, if I remember correctly.

Q. Were they the dwelling houses of the people, or what character

houses were they?—A. They were dwelling houses, bamboo shacks, we called them, made out of bamboo. One of them was the cuartel in which these soldiers resided.

I did not catch what you said about one of these native women. My recollection is that you said one of them was a cripple?—A. Yes; one of them was a cripple; she was unable to walk. It looked to me as if she was paralyzed. She was asleep in the shack at the time we burned the cuartel. We call them a cuartel—nothing but bamboo shacks. She was asleep, and Lieutenant Merchant ordered the houses burned, and ejected her from the house, leaving her to sleep on the ground.

How was she taken out of the house?—A. There was another woman with her, and this other woman helped her down the bamboo shacks, probably two or three steps from the ground. Those houses were on bamboo sticks, 2 or 3 feet from the ground.

She was able to walk, was she?—A. On her hands and knees; she navigated that way.

Where was she left by Lieutenant Merchant?—A. On the ground, say 10 feet away from the house, after it was burned.

Was there any furniture or contents of the house taken out before it was burned?—A. Cooking utensils, and they removed their bedding. It simply consists of a blanket or a light quilt, or perhaps a sheet sometimes. I do not remember exactly what it was, but I remember as to the kitchen utensils being removed—dippers and earthenware, and I think there was a bag of rice removed also. But there was not a house around there within, say, a mile and a half.

Senator RAWLINS. That is, the nearest house was about a mile and a half away?

The WITNESS. Yes, sir.

By Senator CULBERSON:

What is the last you saw of this crippled woman?—A. She was in the bushes right back of the house, where it was burned down. We found her there and marched on.

Who gave the order to burn the house?—A. Lieutenant Merchant.

Who gave the order to administer the water cure?—A. Lieutenant Merchant.

And where is he now?—A. I believe he is deceased; I understood so.

The CHAIRMAN. Did he die in the Philippines?

The WITNESS. I think so; I think he died of dysentery; I believe he was promoted to be captain of the Fifth Infantry.

By Senator CULBERSON:

Do you know of any other houses or barrios or towns being burned by American soldiers?—A. Yes, sir.

State all you saw.—A. I do not remember in what barrio it was; it was outside of Nacarlan; it was some time about the 21st or 22d of May.

That was after the attack on Nacarlan, which happened on the 19th of May. That was under Captain Stamper.

Where is he?—A. I believe he is now commissary of the Ninth Infantry.

When was that?—A. That was the 19th of May, 1901.

Senator ALLISON. What is a barrio?

The WITNESS. Two or three bamboo shacks set up together; maybe in a radius of 200 or 300 yards. They call that a barrio.

By Senator CULBERSON:

Q. You said that barrio was burned?—A. Not the whole barrio; there were about three houses, as we passed along there, that were set fire to.

Q. By whose order?—A. By order of Captain Stamper.

Senator ALLISON. Where is he?

The WITNESS. In Santa Cruz, I believe; when I left there he was.

By Senator CULBERSON:

Q. Do you know of any other houses or barrios or town being burned?—A. That is all I have witnessed. I have heard of others being burned, but I have never seen them, and of course I can only say what I have seen.

Q. Did you pass any other barrios or towns or villages that had been burned?—A. Yes, sir; several from Santo Tomas to Magdalena. Who burnt them I can not say. They may have been burned by the insurrectos themselves, because they did that. As this guide said, the native there, the American troops would come to a barrio and take the natives into the guardhouse and keep them perhaps three months, and then let them go; and then the insurrectos would come along and gather them in, and if they did not go with the insurrectos they killed them; so the natives were between two fires.

The CHAIRMAN. Did the insurrectos burn the barrios?

The WITNESS. Sometimes, if they did not contribute to their cause.

By Senator RAWLINS:

Q. Was the American Army able to afford protection to those people who took the oath of allegiance or not?—A. Yes, sir; they were in Magdalena.

Q. But you say that they were frequently between two fires?—A. That was away out in the barrios. We could not give them protection away out there; it was absolutely impossible to do so.

Q. And those people suffered, as I understand you, both from the insurrectos and from the American forces?—A. That is, inasmuch as the Americans would gather in a whole barrio, they would probably have some information that they might not give, and they would go in and gather in a whole barrio and keep them two or three months and then let them go again, or if any information came in again that there were any insurrectos there they would repeat that.

Q. What do you mean by taking them in—making them prisoners?—

A. Yes, sir; making them prisoners, and if they did not have any charge against them they would set them at liberty.

The CHAIRMAN. Do you know of any, or did you witness anything in the nature of barbarity exercised toward our soldiers by hostile Filipinos?—A. Yes, sir; one man of the troop of the First Cavalry at Santo Tomas, I believe, in December, 1900, after pay day, as some of them wanted to do, they visited the canteen (at that time it was in existence—that is, a private canteen), and he probably lost his way in returning to the barracks. Anyway, he was found two or three days afterwards and he had been boloed; he had been cut all up; we found him in a creek. Those people are very treacherous. The trails we have to go over are only a foot and a half or two feet wide, and the

country is very mountainous, and in the rainy season if we go out any time in the night it is so dark you can not see your hand before your face, and a man who goes out takes his life in his own hands. They can get in those trees and throw a bolo at you and you won't know what struck you; you can not defend yourself with a rifle.

By Senator BEVERIDGE:

Q. And how long were you in the island?—A. About a year.

Q. What portion of the islands?—A. Southern Luzon, in Batangas and Laguna provinces.

Q. Who was in command?—A. Lieutenant Merchant.

Q. I mean who was the general in command of that division?—A. I forget his name now.

Q. Did you during your service observe any number of prisoners taken by our forces?—A. Yes, sir.

Q. Will you state to the committee what treatment they received at the hands of the American men, as to kindness and consideration?—A. As to which?

Q. As to kindness and consideration, or the reverse.—A. We took some prisoners at Magdalena, and while they were in confinement at Magdalena they were treated just as good as American prisoners.

Q. And as to the food given them; whether abundant or not?—A. It was abundant of its kind, and it was the regular ration, consisting of rice, bacon, and hardtack.

Q. The same as the American troops received?—A. No; we received beef once or twice a week and potatoes.

Q. The rice was the food———A. The principal food which they got.

Q. That was the food to which they were accustomed?—A. Yes, sir.

Q. And which they preferred; yes or no?—A. Yes; they preferred rice.

Q. When they were ill or wounded, what care was given them by the American authorities?—A. The doctor, Dr. Stoeckele, of North Eighth street, Philadelphia, attended them, not only as prisoners, but in the barrio.

Q. So not only the prisoners, but the people themselves received attention from American physicians?—A. He was the only physician, though, that I knew to do such a thing as that.

Q. Have you been in the hospitals there?—A. Yes, sir.

Q. In Manila?—A. I have been there, but I was not sick.

Q. I mean you have been in there?—A. Yes; I have been in the corridor, I have not been through it.

Q. In the American hospital at Manila and elsewhere, what is the fact——

Senator RAWLINS. I do not believe he ought to be called upon to testify as to hospitals he has not visited.

Senator BEVERIDGE. I referred to hospitals that he had seen.

The WITNESS. I can not tell about other hospitals.

By Senator BEVERIDGE:

Q. In the hospitals where you have been, either as a patient or as an observer, what was the fact as to the treatment of the Filipinos in those hospitals; what kind of treatment did they receive in comparison to that received by our own men?—A. Just the same treatment.

Q. From American officers and from American nurses?—A. Yes, sir.

Q. Now, with reference to the treatment of people who were peaceably at work, from American officers and men—what was that, as to kindness and consideration, or the reverse?—A. They never molested them, to my knowledge.

Q. What is your understanding, as a soldier, of the general conduct which was expected from you by the commanding officer of your division with reference to the treatment of people who were peaceably disposed, who were at work?—A. I treated them the same as I would and did treat any persons that I knew—with kindness, with courtesy, in every respect. Whenever I found that they were in any way wrong I would arrest them and notify my commanding officer.

Q. And your comrades, the same or not?—A. The same, as far as I could see.

Q. So that the general treatment of the people by American soldiers and officers was as you have described your own treatment of them as being?—A. Yes, sir.

Senator BEVERIDGE. That is all.

By Senator CULBERSON:

Q. You say you were in the province of Batangas?—A. Batangas and Laguna.

Q. Were you in Batangas after December 8, 1901?—A. Yes, sir.

Q. How long did you stay there after that?—A. Until the 25th of January, 1901.

Q. I asked you if you were there after the 8th of December, 1901?—A. I thought you said 1900; excuse me.

Q. You have not been there since General Bell issued his order?—A. No, sir; I left in January, 1901.

Senator RAWLINS. When were you last in Batangas?—A. January 25, 1901.

By Senator ALLISON:

Q. You spoke of a doctor; what was his name?—A. Dr. Stoeckle.

Q. Was he a surgeon attached to your regiment?—A. Yes, sir; and he was also attached to the Thirty-seventh Volunteer Infantry, Company K.

Q. Where is he from?—A. From Philadelphia; Eighth and Spruehanna avenues.

Q. In Philadelphia?—A. Yes, sir.

Q. Has he returned?—A. Yes, sir.

Q. Who was the colonel of your regiment?—A. Colonel Dougherty.

Q. And he was stationed at Santa Cruz?—A. Yes, sir.

Q. And who was the lieutenant-colonel of your regiment?—A. Lieutenant-Colonel Craige, formerly a major of the Twenty-fifth Infantry.

Q. Where was he stationed?—A. In Manila.

Q. This Lieutenant Merchant of whom you speak was a first lieutenant?—A. A first lieutenant.

Q. In the Regular Army?—A. Yes, sir.

Q. And in command of the company?—A. Yes, sir.

Q. Where is he now?—A. He is dead, if I am not misinformed.

Thereupon, at 11.30 o'clock, the committee adjourned until Thursday, May 8, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Thursday, May 8, 1902.*

The committee met at 11 o'clock a. m.

Present: The chairman, and Senators Beveridge, Dietrich, Rawlins, Culliberson, Dubois, and Patterson.

TESTIMONY OF ISADORE H. DUBE.

Sworn by the chairman.

By the CHAIRMAN:

Q. What is your name?—A. Isadore H. Dube.

Q. Where do you live?—A. In Watertown, Mass.

Q. Have you always lived there?—A. No, sir.

Q. When did you come there to live?—A. I came there in January of 1902.

Q. In January of this year?—A. January of 1902; yes, sir.

Q. Are you a native of Massachusetts?—A. Yes, sir.

Q. You have always lived in the State?—A. Yes, sir.

Q. You were in the Army?—A. Yes, sir.

Q. In what regiment?—A. Twenty-sixth Infantry, United States Volunteers.

Q. What was your rank?—A. Sergeant.

Q. And you have been in the Philippines?—A. Yes, sir.

Q. How long did you serve there?—A. I was in the Philippines as a soldier about sixteen or seventeen months, and I was in Manila on the metropolitan police force for four months.

Q. Have you witnessed any cases of water cure or other torture inflicted on Filipinos?—A. Yes, sir.

Q. Will you state to the committee what they were and the circumstances?—A. Am I compelled by the committee to give any of the names of the officers who administered the cure to natives?

Q. Certainly.—A. I was on guard. I don't remember the date nor the month. I was in command at Jaro, Panay, P. I., and some natives were confined in the guardhouse by order of Captain Glenn, who is, I believe, a major. I think he was judge-advocate of the Department of the Visayas, and I was sent with this native—I don't remember the native's name—to bring him over to Lieutenant Congor's house, which was in that town. I did so. I brought the native over, and Lieutenant Congor and Captain Glenn and two or three privates of the Twenty-sixth Infantry administered the water cure to this native, I don't know for what cause; but the native appeared to me to be sort of a healthy and intelligent native—he had some education. I do not think it was necessary; I do not know, of course, what the circumstances were.

Q. You do not know why it was administered?—A. I do not know why it was administered to him.

Q. Is that the only case you saw?—A. That is the only case of water cure I saw.

By Senator CULLIBERSON:

Q. Did you see any other punishment inflicted on Filipinos besides the water cure?—A. Yes, sir.

Q. State what it was.—A. There was a native woman—I was in command of the guard, and there were about fourteen or fifteen male pris-

oners in a back room which we used as a cell, and a woman was ordered to be confined among those prisoners, a native woman, and I believe the post commander was Major Anderson, first lieutenant of cavalry. I asked the post commander where this woman was to be confined. He says, "Why, right in with the other prisoners." There was nothing but one room, and I believe she was kept in there for over three weeks. I believe this was by order of Major Glenn.

Q. I asked you to state any other character of punishment that was inflicted within your knowledge on any Filipino. Do you regard what you have stated as a punishment, the woman being confined there?—

A. Yes, sir; I think that was a punishment that was uncalled for, totally uncalled for.

By the CHAIRMAN:

Q. Was it intended as a punishment?—A. It was a woman that was confined there and could have been confined elsewhere.

Q. Were you told it was done as a punishment?—A. No, sir. I do not see what else it could be.

Q. That is your inference, then?—A. Yes, sir.

Q. Was there any feeling between your regiment and the Eighteenth Infantry?—A. None at all, that I know of.

Q. They were very friendly, were they?—A. Very friendly, as any other regiment.

By Senator PATTERSON:

Q. What was the age of this woman?—A. Well, I don't know what her age was; I should judge about forty years old.

Q. And what prisoners were they—native prisoners?—A. They were native prisoners, varying from 15 to 40 years of age.

Q. And you state she was confined with them for about three weeks?—A. Yes, sir.

By Senator CULBERSON:

Q. If this woman was submitted to any indignity by being placed in that confinement with the men you can state it, if you know of it.—

A. No; I do not, only that this woman had to do her necessary duties of life right in there with the men. I also know of another case where some of the Eighteenth Infantry men—of course the Eighteenth Infantry men in the post where I was were only men of Lieutenant Congor's mounted scouts, and I think that Lieutenant Congor had a roving commission, and they did practically anything they wanted to.

Q. Do you know of any other punishment or unusual conduct of American soldiers or officers toward Filipinos that you have not already stated?—A. Yes. This I can not testify to, but a captain in the Regular Army out there, which had a mounted detachment of about 50 men and had a roving commission, ordered his men—and, by the way, I have seen this captain drunk on several occasions.

Senator DIETRICH. What captain?

The WITNESS. Captain Butts, of the Eighteenth Infantry. This I don't know; I can not testify to; only what I have heard, that he gave his men——

The CHAIRMAN. You need not give hearsay evidence unless you can give the names of witnesses.

Senator PATTERSON. Nothing you saw yourself?

The WITNESS. No, sir.

By Senator CULBERSON:

Q. Can you state any other indignity, punishment, or cruelty inflicted on Filipinos by American soldiers or officers?—A. No, sir.

Q. Did you see any property of Filipinos destroyed?—A. Yes, sir.

Q. What character of property?—A. Houses.

Q. State to the committee now what you saw.—A. I don't know whether this was right or not; but I was on an expedition from the 1st day of January, 1900, for eight days, and we went through the island of Panay and several houses were burned, dwellings and so forth, and I do not know whether it was necessary or not. Of course I was not in command.

Q. What was the character of the houses; were they dwellings?—

A. They were bamboo houses, and a great quantity of rice was burned also.

Q. Were those houses the dwelling houses of the people?—A. Yes, sir.

Q. State if you saw any other burnings or destruction of property?—A. No, sir.

By Senator RAWLINS:

Q. Will you state what, if any, cruelties you observed committed by the natives?—A. On the American soldiers?

Q. Upon the American soldiers or upon other natives.—A. There was a company of my regiment in Dumangas, a town about 20 miles from Jaro.

Q. I am asking you what you know yourself.—A. Yes, sir. I was ordered with 27 men to go to their relief. A lieutenant was sent in command. This lieutenant was shot and killed—Lieutenant Wagner. We got to a town about 7 miles from this place, and we did not know the way to get there, the shortest way, and this lieutenant took a native guide, a policeman in that town, and this policeman had a long bolo, I guess about 2 feet long, as his weapon. We took him as a guide. About 9 o'clock at night, when it was very dark, we came across a small van of natives at the foot of some hills, and they opened fire on us, and we returned the fire, and they were against a rice field and they were unhurt; none of them were killed or hurt that I know of. So I took two men and advanced to the front, and I saw a native lying down, and this native raised his head up a little when he saw me. So I ordered the advance guard to advance to the next rice field, and we circled around this native, and we told him to get up, and the moment he started to get up one of the natives went up and cut his head off with a bolo. I don't believe this man was shot, although I don't know, this other native. The moment he started to rise he cut his head off of his body above his shoulders with a bolo.

Q. That was the native guide that accompanied your expedition?—A. Yes, sir.

Q. Did he do that of his own motion or was there any command?

A. He did that of his own free will without being ordered to do it.

Q. When was that?—A. It was the 7th of June, 1900.

By Senator BEVERIDGE:

Q. You were engaged then in active military operations?—A. Yes, sir.

Q. It was a fight?—A. Yes, sir.

Senator RAWLINS. Do you know of any other cruelty committed by natives, either upon American soldiers or other natives?

The WITNESS. Well, I can not give any of the names of the natives because I don't know them. There were natives murdered in the town that I was in. There were one or two natives murdered there, and one prisoner that I knew who was very wealthy was murdered. He was cut with a dagger by natives.

Senator DIETRICH. They were supposed to be in sympathy with the Americans?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. And who murdered them?—A. I don't know.

Q. They were not murdered by American soldiers?—A. No, sir.

Q. They were not murdered by American sympathizers, Americanistas?—A. No, sir.

Q. They were murdered by some person opposed to us, and they were murdered on account of their friendship for the Americans?—A. Yes, sir.

By Senator RAWLINS:

Q. What was the practice of the American troops when they reached a town, to require the natives to acknowledge allegiance to the United States or take any oath of allegiance?—A. I don't know that I understand the question.

Senator BEVERIDGE. I do not understand the question either.

Q. When our troops reached a town, would they require them to submit to the authority of the United States?—A. I don't know about that, as I was never in command of any troops approaching a town. But they seemed to submit very quickly to the Americans when we arrived in the town, and in most cases they were willing to do almost anything for us, such as getting us water, and so forth.

Q. Those who did that, as I understand you, did it at the peril of their lives?—A. I don't know.

Q. You say some of them were assassinated afterwards?—A. Some of the natives?

Q. Yes.—A. Yes, sir; some of the natives who did that or who were in sympathy with the Americans in the towns were the ones assassinated.

Senator DIETRICH. By native Filipinos?

The WITNESS. Yes, sir; nonsympathizers.

By the CHAIRMAN:

Q. You spoke of Lieut. Max Wagner being killed. Did he command your company?—A. He did not command; he was a lieutenant in it.

Q. Do you know anything about the circumstances of his death?—A. Yes, sir.

Q. State them.—A. He and a private by the name of Lamoreaux he took as a body guard, I suppose, started to go to a neighboring town about 20 miles away on horseback, and they were ambushed on the way, and he was instantly killed, shot through the forehead.

Q. Was this in territory occupied by American soldiers?—A. Occupied by American soldiers; yes.

By Senator BEVERIDGE:

Q. One of your last answers was, as I heard it, that when we entered town we were received by the natives; that the natives accepted American authority and did everything they could for us. How long were you in the Philippines?—A. I was in the Philippines in the United States service about sixteen or seventeen months.

Q. During which time you were in what islands or provinces?—A. I was on the island of Panay.

Q. You were under General Hughes, then?—A. Yes, sir.

Q. During your service in aiding in the suppression of the insurrection you have or have not seen prisoners taken by us?—A. Yes, sir; have.

Q. When we took Filipino prisoners what was the treatment that they received from our officers and soldiers as respects kindness and care and attention?—A. They were treated as prisoners of war and acted as such. They were given good, substantial food, according to their demands.

Q. That is, such food as they liked?—A. Such food as they wanted, such food as they were accustomed to. They were worked, and in my judgment they were treated as prisoners of war should be treated.

Q. And when they were sick or wounded, what was the attention they received in reference to medical attention?—A. They were treated and taken care of by American surgeons, and taken into the American hospital.

Q. And if nursed at all, by what nurses?—A. By American nurses.

Q. Now, continuing that same line, connecting it with your answer about the way we were received, what was the general treatment of the people who were peaceably inclined and that worked; what was the general treatment of the Filipino people by our officers and men with respect to kindness and consideration?—A. You mean the——

Q. I think the question, perhaps, escaped you. The people who were peaceably at work and peaceably disposed—what was the treatment they received from American officers and soldiers?—A. The treatment, I think, was all right—was good enough—the treatment that was authorized by the American officers.

Q. What did you understand General Hughes's orders and the orders of the other American officers to be with reference to the conduct of soldiers toward the people?—A. It was to treat them—the sympathizers—with kindness and to be an example of what Americanism was.

Q. And did you do that?—A. Yes, sir.

Q. And did your comrades do that also?—A. As far as I know. Well, that is, my own comrades in my company; that is all I am supposed to know about.

By Senator DIETRICH:

Q. The houses in that vicinity are mostly nipa huts, are they not?—A. Bamboo, covered over with nipa.

Q. And large families of men, women, and children occupy them, do they not; that is, a large number of people occupy one hut, do they not?—A. They have probably three or four rooms in a house divided off into partitions.

Q. And a good many people live in one hut, do they not?—A. Yes; some of them only have one or two rooms.

Q. And the people as a rule in those interior barrios mingle with

each other, irrespective of sex, do they not, a great deal, and live in those houses together, in just one or two rooms?—A. Very large families have two and three rooms in a house and smaller families have only one room, perhaps.

Q. And if they have visitors and people come in to see them, they live and sleep there in those two or three rooms?—A. That I don't know, whether visitors do or not.

Q. In view of the fact that they live that way, would you say that they looked upon the confinement of this woman with a lot of men as being very bad treatment?—A. I think they do.

By Senator BEVERIDGE:

Q. Were you in Iloilo or Panay in May, 1899?—A. No, sir.

Q. What regiment did you belong to?—A. Twenty-sixth Infantry, United States Volunteers.

By Senator PATTERSON:

Q. How long were you on the island of Panay?—A. I was on the island of Panay about sixteen or seventeen months.

Q. And how many troops were there?—A. The Eighteenth Infantry, the Twenty-sixth Infantry, and part of the Sixth Infantry, and one battery or one or two batteries of the Sixth Artillery.

Q. A good deal of fighting while you were there?—A. Two severe engagements.

Q. How many Americans were engaged?—A. The Eighteenth Infantry, the Twenty-sixth Infantry, part of the Sixth Infantry, and one battery of the Sixth Artillery.

Q. That would make about how many men?—A. That would make about—I don't know whether the Eighteenth Infantry was full or not: I believe it would make about 2,000 men.

Q. How many Filipinos?—A. I have no idea. I have heard a good many reports and I don't know.

Q. Where was the fight that you refer to?—A. At Jaro or a little outside of Jaro.

Q. And when was that?—A. It was the 18th of November and the 21st of November, 1899.

Q. Was that the only severe fight?—A. Yes, sir; those were the two principal engagements.

Q. What was the other one?—A. There was an engagement at Calinog.

Q. About how many men were engaged there?—A. One battalion of the Twenty-sixth Infantry.

Q. Do you know how the largest engagement was brought on?—A. Well, we went up to face the insurgents, and they opened on us, and we returned the fire. That was the 18th of November. We were not successful with the natives, as there was only the Twenty-sixth Infantry engaged.

Q. Was that at Calinog?—A. No; in Jaro. And, of course, we had to retire until the Twenty-first, and then the Eighteenth Infantry and the artillery, and part of the Sixth Infantry and the Twenty-sixth engaged the insurgents, and we were victorious.

Q. Did you rush them the second day?—A. It was not the second day; it was three days afterwards.

Q. Three days afterwards the second day of the fight?—A. Yes, sir; we drove them to the hills.

Q. How many Americans were killed and wounded?—A. I believe there was about 6 or 7, I don't know positively, killed, and about 25 or 30 wounded.

Q. Six or 7, you think?—A. Yes, sir; I don't know.

Q. Out of 2,000?—A. Yes, sir.

Q. How many Filipinos were killed?—A. I have no idea.

Q. You rushed them and drove them out; they left for the hills?—A. Yes, sir.

Q. Can you give us an approximation of how many were killed?—

A. No, sir; I can not.

Q. A good many?—A. I have no idea of how many were killed. As for myself, I do not believe I saw more than 3 or 4 dead.

Q. Why is it that you have no idea of the number?—A. Our part of the line did not go through to the insurgent lines; we only captured the first line of trenches and then we halted. The Eighteenth Infantry took up the advance.

Q. How many native wounded were brought in?—A. Several were brought in. One was brought in with five bullet holes in him, which I was in charge of, and this native—we were marching along through the grass and this native rose out of the grass and gave a man in D Company two long gashes with a bolo, and we put three or four bullet holes in him and broke the butt of a gun over his head, and after that he was still living and he was taken to the hospital, and the last I knew he was well in the fort chopping rocks.

Q. How many wounded altogether were brought in that you know of?—A. I don't know.

Q. Can you give us some idea?—A. I believe that eight or ten were brought into the hospital where I was; that many wounded Filipinos.

Q. How many prisoners were taken?—A. About 40 prisoners were brought into the guardhouse where I was.

Q. Did you go over the field after the battle?—A. No, sir; we went five days afterwards through the place, only up to the place we had captured; we simply passed through there.

Q. Have you any more knowledge of the fatalities in the second fight that you speak of, at Calinog?—A. Only that I saw 3 American soldiers that were killed in that town. I saw their bodies. We got information from some natives where their bodies were, and we gave them a military funeral.

Q. Do you know how many natives were killed there?—A. No, sir; I don't.

By Senator CULBERSON:

Q. Were you wounded while you were in the service?—A. No, sir.

Q. I believe you stated that you only saw the water cure administered once?—A. Yes, sir.

Q. Please state how they administered it, what the effect was, and all about it.—A. Captain Glenn ordered some men, three or four men of the Eighteenth Infantry, to give that man the water cure. I didn't know what the water cure was. They put cartridges across his mouth and the native bit the soft part of the cartridges through, so they put a bar of iron across his mouth—I believe it was a little piece of gas pipe—and they poured water into him. There was a pail there and there was a hose. I don't know whether the hose was used or not, but the pail was used. They pressed on his stomach with their hands, and

they got some information from him, I don't know what the information was.

Q. What effect did the water cure have on the native?—A. I didn't see him afterwards.

Q. What effect did it seem to have on him at the time?—A. He was a dark-complexioned native and he turned very white; he turned pale as though he was a picture of death.

Senator BEVERIDGE. As though he was sick at the stomach?

A. Yes, sir.

Senator CULBERSON. Were there any indications of pain; and if so, what were they?

The WITNESS. The native could not stand on his feet; they had to take him up.

By Senator PATTERSON:

Q. You speak of his biting the cartridge. What do you mean by that?—A. Have you ever seen a Krag-Jorgensen cartridge?

Senator PATTERSON. No.

A. (continued). There is a soft part to it where the powder is and the native squeezed through it with his teeth.

Q. And that allowed his jaws to close?—A. Yes, sir.

By Senator BEVERIDGE:

Q. In biting through a cartridge, whenever a soldier wants to take the lead out of a cartridge that is a common way to do it, is it not?—A. No, sir.

Q. You have bit cartridges yourself?—A. No, sir; you can not bite them.

Q. You never saw a piece of lead taken out of a cartridge by biting on the metal that contained the powder?—A. No, sir; there is a steel projectile over our cartridges and the lead can not be bit.

Q. I am not talking about the lead. I thought you said that he bit the brass.—A. Yes; bit it together.

Q. Now, that part of it, is not that where you bite it to take the lead out of the cartridge?—A. No, sir.

Q. You never saw that thing done by a soldier?—A. Not in that manner.

Q. In what manner?—A. In order to take the lead out of the cartridge; there is a small part——

Q. Yes, I know; but I am talking about biting. Did you never see a cartridge bit and the lead taken out?—A. No, sir.

By Senator DIETRICH:

Q. Filipino people love to go in bathing a great deal, do they not?—A. Yes, sir.

Q. And a great many go in together, do they not?—A. The native women have a skirt that is, well, 40 or—I do not know what the length of it is—but they wrap it around them, and they take it here on one side and they go in to bathe in that way. They go right in and wash their skirt and bathe at the same time. They do that most every morning.

Q. But the men, women, and children all bathe together?—A. Yes, sir; with clothes over them. The men wear kind of a G string over them; the same thing they wear all day long.

Q. What I want to get at is this: Men and women mingle more pro-

miscuously together, in bathing and at other places, than they do in this country?—A. Yes, sir.

Q. So this confining of a woman among men could not have been as much of a punishment as such a thing would be over here in this country?—A. I consider that that woman being put in the guardhouse with these men was as bad as any of the water-cure cases that I saw; any of the water cures I ever saw.

By Senator BEVERIDGE:

Q. Did you, during your considerable stay in the Philippine Islands, ever observe a number of men and one or two women together in the same house? I am talking about perfectly proper homes. Did you not see such things in houses, and did you not see men and women together in boats and going long distances away together? Is not that a very common sight in the Philippines?—A. For men and women to go together in that way?

Q. To be together; yes.—A. Yes, sir.

Senator CULBERSON. But you would regard putting a woman in a guardhouse with a lot of men for three weeks as a different thing?

The WITNESS. Yes, sir.

By Senator DIETRICH:

Q. But she was with native prisoners?—A. Yes, sir.

Q. Not with Americans?—A. No, sir.

Senator BEVERIDGE. Did the woman make any complaint?

The WITNESS. No, I don't think she had grit enough to. She was frightened to death all the time she was in there.

Senator DIETRICH. How do you know she was frightened to death?

The WITNESS. She appeared to be every time I went in there. She would move way over in the corner, and appeared to be frightened to death.

By Senator BEVERIDGE:

Q. She did not appear to be frightened to death at her fellow-countrymen?—A. No, sir.

Q. She was frightened at you?—A. Yes, sir——

Q. Did she make any objection to being with her fellow-countrymen?—A. No, sir.

Witness excused.

TESTIMONY OF JANUARIUS MANNING.

Sworn by the Chairman.

By the CHAIRMAN:

Q. What is your name?—A. Januarius Manning.

Q. You are a resident of where?—A. Boston.

Q. Charlestown?—A. Yes, sir; Charlestown.

Q. Have you always lived there?—A. No, sir.

Q. You are a native of Massachusetts?—A. No, sir.

Q. When did you come to Boston?—A. I came to Boston in 1895.

Q. What State are you a native of?—A. I am a Canadian by birth.

Q. You were in the United States Army?—A. Yes, sir.

Q. In what regiment?—A. First in the Twentieth United States Infantry and afterwards in the Twenty-sixth Infantry, volunteers.

Q. You served in the Regular Army first?—A. Yes, sir.

Q. The full term of three years?—A. No, sir; first in the Spanish-American war.

Q. And then you enlisted in the Twenty-sixth Infantry?—A. Yes, sir.

Q. And what rank did you hold?—A. I was first sergeant during the Philippine campaign.

Q. How long were you in the Philippine Islands?—A. We got into Manila Bay on the 24th of October, 1899, and we left on the 8th of March, 1901.

Q. During that time of service, what part of the Philippine Islands were you in?—A. In the island of Panay, province of Iloilo.

Q. In General Hughes's division?—A. Yes, sir.

Q. Were you a witness while you were there to any cruelty or torture of the natives, any application of the water cure?—A. Yes, sir; I saw the water cure.

Q. State when and where and under what circumstances?—A. The first time I saw it was on the 20th of August, 1900.

Q. Where?—A. In the town of Leon, Panay.

Q. You may state the circumstances, why it was administered, and to whom.—A. They were prisoners, captured for the murder of Private O'Hearn, belonging to Company I. They were captured the day before, and to get them to tell what they knew about the murder they had to give them the water cure.

Q. Who gave it to them?—A. Well, members of the company.

Q. Were you engaged in it?—A. Well, I was there. I didn't give it myself; I directed the men to do it.

Q. You directed men to do it; that is, you were a sergeant?—A. Yes, sir.

Q. And you directed the men under your command to administer the water cure? Did you receive any orders from anyone to do that?—A. Yes, sir; the commanding officer.

Q. Who was the commanding officer?—A. Captain Gregg.

Q. He ordered you to give the water cure to those natives; who ordered the men out?—A. He ordered the natives taken out, and he told me to go out and see that they were not abused; to see that they did not get too much.

Q. Did he order you to give them the water cure?—A. I would not swear to that.

By Senator CULBERSON:

Q. Did the captain understand what you were going to do with these people?—A. Yes, sir.

Q. How do you know he understood it?—A. Well, when I came down he had ordered the men out. I don't know what orders he had given, but he told me to go out; that they were going to give them the water cure, and to see that the men did not abuse the prisoners.

By Senator PATTERSON:

Q. Go on and describe it.—A. The men would be laid down and the water cure would be administered.

Q. How? Give us one instance, going through the particulars of some one instance that you have in mind.—A. Take any one of the men—take the leader, for instance—he was laid down on his back, held down; a few men would hold him and something would be put in his mouth to keep his mouth open, and the water would be poured in.

Q. What did they put in his mouth to keep it open, and how did they keep it there?—A. A stick, generally; a small stick would be put in his mouth to keep it open; a little piece of stick, so he could not close it up. Then the water would be poured down, and when he would breathe of course he would have to take in the water.

Q. How much water would be poured down?—A. I don't know how much. Sometimes it would take a good deal before they would talk, and other times it would not take very much.

Q. Whom did you have there for them to talk to?—A. We had a native, a man that was an interpreter there, who spoke the Filipino language.

Q. Had the remains of the person that was supposed to be Private O'Hearn been found?—A. Yes, sir; the body was recovered on the 9th—the day before.

Q. What was the purpose of taking these men out to give them the water cure?—A. Those men were supposed to be the men who had murdered O'Hearn.

Q. And for what purpose was the water cure inflicted?—A. They were supposed to be the murderers, but we had no direct proof that they were the murderers; we only supposed they were at the time.

Q. And how did you suppose that the water cure would enlighten you on that subject?—A. When we brought them in and put them under oath they knew nothing at all about it; but the ringleader, the day before, the time his body was recovered, admitted that he had helped to murder him, and he implicated ten or eleven more men.

Q. The ringleader had had the water cure applied to him the day before?—A. So I understand; I was not there.

Q. And then he gave the names of ten or eleven others?—A. Yes, sir.

Q. And you had the testimony of one man against ten or eleven others?—A. Yes, sir.

Q. That being the case, what did you proceed with these ten or eleven others for; what was the purpose?—A. We did not consider the testimony of one man, a self-confessed murderer, would be sufficient to convict the other men, and we wanted to get more evidence.

Q. How did you expect to get more evidence?—A. After the application of the water cure they did tell. They first told on the other men and afterwards they implicated themselves.

Q. How did the water cure get them to implicate themselves, that is what I want to know; how did that induce them to do it?—A. I don't know just what effect it would have on them, but they told.

Q. Was it supposed that the pain and suffering of the application would induce them to tell; was that the theory?—A. Well, I never studied it out; but it seemed to have that effect.

Senator BEVERIDGE. Or the fright?

The WITNESS. I don't know just what it was. They seemed to be pretty much afraid of it after one application.

By Senator PATTERSON:

Q. Did you give these men more than one application?—A. Some of them.

Q. How many?—A. Well, I remember three; there were three brothers.

Q. Why did you give them more than one application?—A. After we gave them some they would not tell on themselves or anyone else.

Q. They denied having any knowledge after the first time?—A. Yes, sir.

Q. And was it the next day you gave it to them again, or the same day?—A. I believe it was two days afterwards.

Q. You gave it to them again two days afterwards?—A. Yes, sir.

Senator BEVERIDGE. But in the meantime they had been told on by others?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. By the others that the water cure had been applied to?—A. Yes, sir.

Q. And when you applied it to them the second day they stated they had been connected with it?—A. Yes, sir.

By Senator DIETRICH:

Q. This Filipino who first confessed to the murder and torture of O'Hearn also gave the information where the bones could be found, did he not?—A. The first man that gave information was the presidente of the town of San Miguel. He gave the information to the Gordon scouts—that was a detachment of mounted infantry from the Eighteenth. And then they telegraphed up to the captain to meet them out there the next day near this town. So the captain took a detachment out and they got O'Hearn's body. That is, they got the bones under the roots of a tree in a little hole, and took them in, and they took in, I guess, about somewhere between 15 and 20 prisoners from the barrio of Tauag.

Q. There never was any doubt in your mind, and, so far as you know, in the minds of other Americans present, but what these men that received the water cure were responsible and really did murder and burn O'Hearn, was there?—A. No, sir.

By Senator CULBERSON:

Q. Why were they not executed then?—A. Those men tried to escape before they were sent down to department headquarters. Two of them did escape, and, I believe, nine were shot in an attempt to escape.

Q. How long was it after they were arrested before they tried to escape?—A. I don't remember that. The first man that tried to escape was the ringleader.

Q. Was he killed?—A. Yes, he was killed.

Q. One witness testified the other day that they were in prison five or six months. How is that?—A. I don't think they were there that long.

Q. Well, how long were they in prison before they attempted to escape?—A. If I remember right, I don't think this ringleader was there more than four or five weeks, and the rest of them I don't think were there more than two or three months.

Q. None of them were ever tried, were they?—A. No, sir; none of them were tried.

By Senator RAWLINS:

Q. You mentioned that as the first case of seeing the water cure administered; what other cases do you remember about?—A. The first time I saw it was on that day. I think that was the 20th, and I think it was on the 22d we gave it to some more.

Q. Did you see any cases except on those two days?—A. No; I never saw it given to any insurgents or anything like that—just to the murderers.

By Senator PATTERSON:

Q. You say the first information of the death of O'Hearn was given to the presidente of the town?—A. Yes, sir.

Q. Did he come in and voluntarily tell about it?—A. No, sir.

Q. How about that, then?—A. It was secured by Lieutenant Congor, who commanded those scouts.

Q. Was the water cure applied to the presidente?—A. I heard it, but I don't know.

Q. How many of these prisoners did you say escaped?—A. Two escaped and 9 were killed.

Q. Those are the men who were charged with the killing of O'Hearn who had confessed under the pressure of the water cure?—A. And other prisoners we had were released. We were holding those taken down to department headquarters.

Q. Which other prisoners do you refer to?—A. I think there were somewhere between 15 and 20 brought in the first day, and we only had 11 altogether.

Senator BEVERIDGE. Those being the murderers?

The WITNESS. Those were the murderers.

Senator PATTERSON. Of the 11, 9 were killed, and what became of the other 2?

The WITNESS. They escaped; we never captured them again.

By Senator BEVERIDGE:

Q. I understood you to say they were to be taken down to department headquarters, but they attempted to escape before they were taken down?—A. That is the way I understood it.

Q. Was your understanding that they were to be taken down to department headquarters for trial?—A. Yes; for trial. The acting adjutant of the regiment was up, I think, about a week before the case looking into the testimony and evidence.

Q. Preparing for their trial?—A. Yes, sir; to take them down.

Q. You spoke of a part of the other prisoners being released?—A. Yes, sir.

Q. How long were you in the service in the islands altogether?—A. Over a year; somewhere about a year and five months.

Q. During that time you observed prisoners taken from time to time?—A. Yes; a lot of prisoners.

Q. Will you state what the treatment of those prisoners was from the officers and men with reference to kindness and care and consideration, or the reverse?—A. Well, I never saw them illused; they always got enough to eat.

Q. What kind of food?—A. They got rice and meat.

Q. Was that the food they preferred?—A. Rice is what they generally live on. We gave them meat with it and hardtack.

Q. When they were sick and wounded what attention was given to them?—A. They would be given medical treatment.

Q. By whom?—A. By the army surgeon.

Q. By the same surgeon that attended our soldiers?—A. Yes, sir.

Q. And where hospital treatment was required what occurred

then?—A. Well, I have seen them take the prisoners up from the guardhouse and put them in the hospital.

Q. The same hospital that our soldiers occupied?—A. Yes, sir.

Q. And if nursing was required, who did the nursing?—A. The attendants in the hospital.

Q. The same attendants that did the nursing to our soldiers?—A. Yes, sir.

Q. General Hughes was in command at Panay, was he not?—A. Yes, sir.

Q. He was your commanding officer?—A. Yes, sir.

Q. What did you understand to be the directions and desires of General Hughes and your other superior officers as to the treatment which should be given by you and other soldiers to the people in general who were peaceably inclined, as to care and kindness and consideration, or the reverse?—A. The orders were to treat everyone right: to treat them kindly.

Q. Did you obey those orders?—A. Yes, sir.

Q. Was that the rule also with your comrades?—A. Yes, sir.

Q. So that the general treatment of the Filipino people engaged in peaceful pursuits by American soldiers and officers was kind, courteous, and considerate—or was it the reverse?—A. Yes; I would say it was

Senator BEVERIDGE. That is you mean—

Senator CULBERSON. Let him answer the question.

Senator BEVERIDGE. I want him to answer it. I put it in the alternative.

(The question was repeated by the stenographer.)

A. (Continued.) I would not say it was the reverse; I would say it was kind.

By the CHAIRMAN:

Q. Do you know of instances of cruelty, or assassination, or murder by hostile Filipinos against American soldiers or friendly Filipinos?—A. Well, yes; this man from our company was murdered and those three men from Company F, in the same regiment, were murdered.

Q. Were those three men Dugan, Hayes, and Tracy?—A. Yes, sir. Dugan, Hayes, and Tracy.

Q. Were they murdered at Calinog?—A. Yes, sir.

Q. That is a town within the American lines, occupied by American troops?—A. The American troops had passed through there; and that was just at the opening of the campaign.

By Senator CULBERSON:

Q. Did you ever see any barrios or towns burned over there?—A. Yes, sir; I have seen barrios burned.

Q. Where and when? Tell the committee fully about it.—A. I can not remember the date. I saw most of them in the summer of 1901.

Q. State where it was and how many of them were burned.—A. Oh, I have seen a half dozen or so barrios burned.

Q. How many houses would that include; how many houses in a barrio?—A. Various sizes; from 15 to 30, generally.

Q. You have seen, then, as I understand you, a half dozen barrios burned, with 15 to 30 houses in each barrio?—A. Yes, sir.

Q. What was the character of the houses that were burned: were they dwelling houses or business houses?—A. Dwelling houses.

Q. What became of the people?—A. The women and children who occupied those houses—well, only one barrio, I believe, I saw occupied, they got out; and the other barrios burned were barrios deserted, they were supposed to be quarters for the insurgents. That is, they were destroyed. They were within the insurgent lines altogether, or what is supposed to be the insurgent lines. Then I saw a barrio burned, or know of them being burned, that were burned by the natives themselves—that is, by those bands of ladrones, or insurgents, or whatever they were.

Q. Did the officers of your command generally know that the water cure was being administered when testimony was desired?—A. I don't know. That is, I have never seen any case of water cure given except the times I have stated, and the officers at that time knew it.

Q. Who was the commanding officer at that time?—A. Captain [REDACTED].

Q. Do you know whether he reported that to headquarters? A. I don't know.

Q. You say the adjutant came there to look into it?—A. Yes, sir; Lieutenant Avery, acting adjutant at the time.

Q. Who commanded the Twenty-sixth?—A. At that time Major [REDACTED].

Q. What did the adjutant find out when he came there? Did he find out that the water cure had been administered to those Filipinos and that they had confessed to this murder?—A. I don't know whether he found out that the water cure had been given to them or not; but he seemed to be satisfied that they were the murderers.

Q. Satisfied from what; what satisfied him?—A. Talking to the men themselves. He brought an interpreter from Iloilo with him.

Q. You do not know whether the men and officers there advised or informed him that the water cure had been administered or not?—A. No, sir; I do not know.

Q. What was the general understanding in the Army as to this water cure, as to whether or not it was being generally administered?

Senator BEVERIDGE. Oh, Mr. Chairman—

Senator CULBERSON. The Senator has asked him a question as to the general understanding he had about orders from General Hughes, and he has answered.

Senator BEVERIDGE. And I do not object to your asking him what general order was from General Hughes as to the administration of the water cure.

Senator CULBERSON. I am not asking him that; I am asking him as to his general information as to whether this water cure was being administered.

Senator DIETRICH. You are willing to confine that to his department?

Senator CULBERSON. To his own knowledge, yes.

A. I never heard the officers talk about it.

Q. I will ask you this question: Was there any concealment of the facts in the army circles in your command that whenever testimony was desired that could not be gotten otherwise the water cure would be administered?—A. I don't know whether the facts were concealed or not from headquarters.

Q. I will put it this way: Was it not the general rule that when testimony was desired from native Filipinos or insurgent prisoners was desired, either

with reference to crimes committed or to the whereabouts of arms, that the water cure was or would be administered in an effort to find out the truth or the facts as to those two matters?—A. Well, as I stated before, I never saw the water cure given, only to those men who were supposed to be the murderers, and they were self-confessed murderers. I never saw the water cure given to an insurgent prisoner.

Senator CULBERSON. You do not answer my question.

The CHAIRMAN. I do not see how he can answer it except to say what he knows. You ask him now to tell what he apparently does not know.

Senator CULBERSON. I asked him what the general understanding was, what the rule was in the Army.

The CHAIRMAN. And to that he replies that he only knows of one case.

Senator CULBERSON. He knows of only one case where it was actually done. I am asking him as to what the rule was as to administering the water cure; what was generally understood in the Army.

The CHAIRMAN. Does he know of any such rule?

Senator BEVERIDGE. You are assuming that there was such a rule.

The WITNESS. I never saw any orders or anything to that effect.

By Senator CULBERSON:

Q. I am not asking you with reference to any written orders. I dare say there were none. Was it not the general understanding, accepted in army circles where you were, that this cure should be administered when evidence was wanting as to whereabouts of arms of the insurgents or when any crime was committed?—A. I have heard about the water cure being given——

Q. Was not that the general course adopted—to give the water cure in such cases as that?

Senator BEVERIDGE. Testify to your own knowledge.

A. Not in the company that I was in.

By Senator CULBERSON:

Q. You never saw it given except in the case to which you have referred?—A. In that case.

Q. In one case?—A. There was more than one case.

Q. One occasion?—A. Two days; yes, sir.

By Senator RAWLINS:

Q. The men who did that seemed to know how to do it?—A. Yes, sir.

Q. How did they learn how to do it?—A. The men that did it were men that were out with Captain Glenn on the day that those prisoners were captured and the water cure was given out there to the native who was the leader of that band.

Q. Do you know how they learned it?—A. Well, there was a detachment from Iloilo up there; I don't know exactly, I think it was Gordon scouts, under Lieutenant Congor.

Q. From Iloilo?—A. Yes, sir.

Q. Was that General Hughes's headquarters?—A. Yes, sir.

Q. And did they seem to know how to administer this cure?—

A. I don't know; I was not out——

Q. Was that the common talk among the soldiers?

Senator BEVERIDGE. If there was any talk.

A. When the men came in with the prisoners they said they had given this fellow the water cure.

By Senator RAWLINS:

. That was not the first time you heard about it, was it?—A. No; I heard about it before that.

. Where did you hear about it before then?—A. I heard the men about it.

. Well, the nature of the water cure, how to administer it, and what purpose it was to be administered, was common talk among soldiers, was it not?—A. Well, I have heard them say that a man was cured like that and that he would not tell anything, and they would be ought to get the water cure; that is all.

Senator BEVERIDGE. Mr. Sergeant, you testified about the kindness and consideration shown by yourself and comrades, and the Army in general, toward the Filipino people engaged in peaceable occupation; what is the fact about the people in the places through which you passed coming back and working in their fields in the usual way, after you had passed through?—A. Yes; they all came back, or a good many of them.

(Witness excused.)

Whereupon, at 12.15 o'clock, the committee adjourned until to-morrow, Friday, May 9, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Friday, May 9, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman, and Senators Allison, Hale, Beveridge, Drows, McComas, Dietrich, Rawlins, Dubois, and Patterson.

The CHAIRMAN. I have the following to submit to the committee:

[Telegram.]

APRIL 22, 1902. .

Senator LODGE, *Washington, D. C.:*

John Nicholson, Norfolk, Va., in interview yesterday, implicates me in water cure. Request he be summoned before committee, commanded to make statements under oath, giving times and places, and I will send him to penitentiary for perjury.

FREDERICK FUNSTON.

HEADQUARTERS DEPARTMENT OF THE COLORADO,
Denver, Colo., May 2, 1902.

1. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

DEAR SIR: In reply to your letter of recent date, I have the honor to forward to you certain newspaper clippings containing the statements alleged to have been made by one John Nicholson, or Nickelson, who claims to have been a sergeant in the Fourth Cavalry. I also enclose a personal letter to me from First Sergt. Frank White, of Company G, Fourth Cavalry, in which he makes the statement that there is no such man as Nicholson.

In my command in the Philippine Islands there were but two troops of Cavalry—A and G of the Fourth Regiment. I am sorry that I can

not give any more definite information as to the identity of this man Nicholson.

It will be noticed from one of the inclosed clippings, taken from the New York World, that it is said he is in the employ of the Old Dominion Steamship Company. I respectfully suggest that the officials of that company be communicated with, or possibly the correspondent of the New York World or of the New York Evening Journal at Norfolk would be able to get you in touch with him.

I am extremely anxious to have this man brought before the Senate committee and compelled to make good his statements that I am implicated in the "water cure" in the Philippine Islands.

I have neglected for several days to reply to your letter for the reason that I have been in correspondence with officers in the Fourth Cavalry in an effort to ascertain if they knew anything about Nicholson.

Very respectfully,

FREDERICK FUNSTON,
Brigadier-General, U. S. Army.

RETURNED SOLDIER NICKELSON DECLARES GENERAL ORIGINATED THE TORTURE—FUNSTON DENIES THIS AND SAYS HE NEVER USED IT—"NOT BUT THAT THERE WAS CAUSE," HE ADDS—CALLS IT "EFFECTIVE" AND "HUMANE."

NORFOLK, VA., *April 21.*

John Nickelson, a returned soldier from the Philippines, to-night declared Gen. Frederick Funston originated the "water cure." Nickelson now holds a responsible position with the Old Dominion Steamship Company. He said:

"Have I ever seen the 'water cure' administered? Well, I should say that I have. That was General Funston's idea.

"I saw a native stripped to the waist and tied up so that only the tips of his toes touched the ground. A detachment of soldiers then gathered around the victim and burnt his body with cigars to make him tell where the bodies of five American soldiers had been hid. They had been killed from ambush.

"This method failing, the 'water cure' was tried. The man was thrown down and gagged. Water was brought from a vile-smelling swamp and poured down his throat. A soldier would step on his stomach to make the pain more excruciating. When the man was released he led us to where the bodies were.

"A native would rather be killed than suffer the 'water cure.' It is said the pain is excruciating."

FUNSTON DENIES THAT HE INVENTED OR USED THE "WATER CURE."

DENVER, *April 21.*

The statement of Sergeant Nickelson, made in Norfolk, Va., that the "water cure" was invented by General Funston, was denied by General Funston to-day.

"There is not the slightest foundation for the statement," he said to a World correspondent. "I never used the 'water cure'—not that

there was no cause to do so, for we were often provoked to desperation by the treacherous natives, but because there were secret orders to be obeyed that torture in any form was not to be used by the American army.

"The 'water cure' was never used in my command, although I heard that it was practiced in other commands to some extent. I have heard more about this method of extracting secrets from treacherous Filipinos from the newspapers lately than I ever did in the islands.

"I understand it is one of the most effective methods and one of the most humane, if such a word can be used in connection with torture of any kind. I believe it rarely causes death. I do not approve of any method of torture myself, but I repeat that the provocation is great to use some such means of breaking up the conspiracy rings in the Philippines."

FUNSTON, THE TORTURER?—GENERAL ORIGINATED "WATER-CURE" TREATMENT, SOLDIER SWEARS.

NORFOLK, VA., *April 21.*

Gen. Fred. Funston is accused of being the originator of the "water-cure" form of torture which our soldiers in the Philippines are charged with practicing upon the natives there.

Sergt. John Nicholson, who has just been paid off here from the United States Cavalry, said to-day:

"Gen. Frederick Funston was the originator of the water cure. He tried this system of extracting information from the natives in his first campaign. It worked successfully when other means failed.

"For several months General Funston employed the practice almost daily. He gave orders to his officers how it was to be administered, and in several instances superintended the torture.

"He told other commanders about the plan, and when I left the Philippines, only a few weeks ago, all of the troops were using the 'water cure' whenever they desired to place a native on the rack."

FUNSTON THROWS DOWN GAUNTLET—WANTS A SERGEANT TO PROVE HIS CHARGES—MAY BE A STRAW MAN—THE GENERAL ASKS THAT NICHOLSON BE REQUIRED TO MAKE A STATEMENT REGARDING THE ADMINISTRATION OF THE WATER CURE UNDER OATH—WILL BE PROSECUTED FOR PERJURY IF HE OVERSTEPS THE TRUTH.

DENVER, *April 22.*

Gen. Frederick Funston to-day telegraphed Senator Lodge, chairman of the Senate Committee on the Philippines, asking him to subpoena John Nicholson, who is said to have been a sergeant in the Fourth Cavalry, and examine him under oath regarding the use of the "water cure." Nicholson is reported to have said at Norfolk, Va., that General Funston originated the "water cure" and practiced it almost daily for several months.

"If Nicholson makes this statement, he will land in the penitentiary for perjury. I am inclined to believe, however, that Nicholson is a myth. I know every noncommissioned officer in the troops of the Fourth Cavalry that were under my command, and there was no sergeant named Nicholson.

"Not only did I not practice the 'water cure,' but I gave strict orders against the use of it or any other form of torture to secure information from the captured insurgents. I never saw the 'water cure' administered and do not believe that it was resorted to by any of my command. I have extracted valuable information from captured insurgents by frightening them, but never by torture."

FORT LEAVENWORTH, KANS., *April 23, 1902.*

Gen. FREDERICK FUNSTON, *Denver, Colo.*

SIR: I saw an item in the Leavenworth Times this morning, a clipping of which I inclose, regarding a Sergeant Nicholson making a statement about the water cure as practiced in the Philippines.

He claims to belong to the Fourth Cavalry, but I will say that in nearly five years that I have been in the regiment I have never known a sergeant by that name, and I have also made inquiries among men here that have been in the regiment longer than I have, and there is not a single man in these troops here that ever knew such a man. For that reason we have all come to the conclusion that this man Nicholson is either a fake or else going under an assumed name and seeking notoriety.

I am writing this for the reason that I am positive there was no such man as Sergeant Nicholson in any of the troops of cavalry that was ever in the fourth district.

Very respectfully,

FRANK WHITE,
First Sergeant Troop G, Fourth United States Cavalry.

[Telegram.]

MAY 6, 1902.

D. M. RANDELL, *Sergeant-at-Arms, United States Senate:*

Your message received; will appear Friday, May 9, but it will be of no use, for I couldn't testify against anyone. Answer.

JOHN NICHOLSON.

68 WARREN STREET,
Lynn, Mass., April 7, 1902.

HON. HENRY CABOT LODGE,
Washington, D. C.

MY DEAR SIR: My attention has been called to the fact that certain statements, purporting to have emanated from me, were used on the floor of the United States Senate yesterday against the present Administration. In justice to the Administration, to my son, and to myself, I beg to say that I have made no such charges as are contained in the article referred to, which is a garbled and exaggerated report of an interview had with me a few days ago. You are at liberty to make such use of this communication as you choose.

Remaining, honorable sir, yours, respectfully,

WM. H. WALKER.

Mr. LODGE. It will be recalled that the article which was read purported to be a statement of the Rev. W. H. Walker, of Lynn, Mass., stating that he had letters from his son which gave an account of an action in the province of Sorsogon, where the army took 1,300 Filipinos; that 300 were killed and the remaining thousand were stood up by open graves and shot.

WAR DEPARTMENT, OFFICE OF THE SECRETARY,
DIVISION OF INSULAR AFFAIRS,
Washington, D. C., May 7, 1902.

MY DEAR SENATOR: I inclose herewith memorandum respecting publication hereto attached.

It was said that the young man belonged to the Sixteenth Regiment United States Infantry. The letter says:

By said memorandum it appears:

First, Sixteenth Regiment Infantry, United States Army, has never served in the Philippines outside of Cagayan, Isabela, and Nueva Viscaya.

That is, it has never served in Sorsogon.

Second. The army rolls of Company I, Sixteenth Infantry, United States Army, do not contain the name of J. Bennett Walker.

Third. There is a John B. Walker in Company I, Fifteenth Infantry, United States Army. This regiment (Fifteenth) has been in the Philippines since December 15, 1900. Up to July 14, 1901, Company I had not been stationed or operating in Sorsogon, but on April 24, 1901, Company I was ordered to Albay Province, which immediately adjoins Sorsogon on the north.

Fourth. There are no reports on file in the War Department of engagements in Sorsogon in which Company I, Fifteenth Infantry United States Army, participated.

Fifth. On January 11, 1902, J. G. Livingston, civil governor of Sorsogon, reports in detail on conditions prevailing since April 30, 1901 (p. 458 of the hearings before committee on the Philippines), and makes no mention of any affair where insurgents were killed or captured after August 26, 1901.

Sixth. No mention is made of the capture of 1,000 prisoners, referred to in said article, in any of General Chaffee's reports. Lieutenant Burr, the officer referred to, has never reported any such capture.

Seventh. No report has been received at the War Department in respect of or referring to the alleged incident detailed in said publication.

Very respectfully,

CHARLES E. MAGOON,
Acting Chief of Division.

Hon. H. C. LODGE,
United States Senator, Senate Chamber.

I have requested that a cablegram be sent to the Philippine Islands, which has been sent, to make further inquiries, but in the meantime a telegram has been put into my hands from the Boston Journal to their correspondent here. They interviewed Rev. W. H. Walker, to whom this statement was attributed. I will read it:

BOSTON, MASS., May 8, 1902.

L. A. COOLIDGE, Washington, D. C.:

Rev. W. H. Walker, Lynn, denies receiving letters from his son, John Bennett Walker, a soldier in Philippines, describing shooting of 1,000 Filipino prisoners. Says reports grossly misrepresented him. He says: "Instead of receiving 12 letters I personally never received but one. Three in all came to my family; other two addressed to my wife and daughter. All contained practically same information. They were written by my son before last Thanksgiving, and were received by us early in February—over three months ago. They contained nothing but a review of the soldier's life in the Philippines, which at times was hard, according to my son's story. In none of the letters was any reference made to cruelty, nor did my son criticize the American troops in any way."

BOSTON JOURNAL.

I let that go with the rest.

The PRESIDENT PRO TEMPORE. Without objection, the papers presented by the Senator from Massachusetts will be printed in the Record.

The papers are as follows:

PRISONERS SHOT IN SQUADS—AMERICAN DECLARES 1,000 FILIPINOS WERE SLAIN NEAR SORSOGON—SENSATIONAL CHARGES CONTAINED IN LETTERS RECEIVED BY REV. W. H. WALKER, OF BOSTON, FROM SON AT THE FRONT.

LYNN, MASS., May 5, 1902.

"One thousand Filipino prisoners shot in platoons over the graves themselves had been forced to dig; a priest, who had acted in the dual capacity of father confessor and general, hanged before the slaughter of the prisoners and within their sight."

Such are some of the charges made by J. Bennett Walker, a private in Company I, Sixteenth Infantry, now at Sorsogon, in the Philippines, in letters to his father, the Rev. W. H. Walker, D. D., of this city. He is a special instructor at the Gordon Missionary Training School, Boston. Private Walker enlisted at the outbreak of the Spanish war, and was commended for bravery at San Juan.

The Rev. Dr. Walker has more than a dozen letters. He refuses to make them public, however, as he says: "The story is too fearful. My boy has written to me as son to father, and in the face of the inquiry now going on I fear it might bring him into trouble with his superiors.

"He writes of a 'hike' he went on with men under Lieutenant Burr. A 'hike' is an expedition in search of rebels. He writes that the detachment went to Trocin, 18 miles from Sorsogon, and took possession of a bamboo church there. They had hardly settled themselves in the church when 300 insurgents attacked them, armed with bolos and daggers.

"The insurgents were routed and 2 captured. The prisoners told of the location of the insurgent army and agreed to act as guides. The entire command was ordered out, the insurgents taken by surprise, 300 of them killed, and 1,000 taken prisoners, including a priest, who was their general and father confessor, 2 captains, and 4 lieutenants.

"This band proved to be a secret organization known as the Katyauman. The priest assured them that if by any chance a Yankee bullet did hit and kill them they would come to life again in three days. They were so convinced of the power of the charm that they did not fear any body of armed soldiers.

"The priest was called out to tell the insurgents that they had been duped. He refused to do so, although he was flogged, and as an example was strung up to a tree and allowed to remain there a week, so that it could be seen he did not come to life at the end of three days. The Katyauman were so superstitious and such fanatics that the thought of liberating them could not be entertained. To keep them prisoners would necessitate the placing of soldiers on short rations, if not starving them. There was nothing to do but to kill them. This was done by squads. Every morning three squads of 20 men each were sent out under guard.

"They were taken a mile or so inland, and then furnished picks and shovels and started to work. When they had dug a trench 5 feet deep, they were told to stand up in it. The picks and shovels were taken away. A bullet for each man ended his agony, and he lay dead in the grave he had dug, in this fashion. The entire 1,000 were put out of the way of harm. While these measures may seem exceedingly cruel to us," said the Rev. Dr. Walker, "my son tells me they are absolutely necessary for the preservation of the American soldiers."

In the matter of charges by J. Pennett Walker, private, Company I, Sixteenth Infantry, United States Army.

The clipping attached appears on the first page of the Washington Post, published Tuesday, May 6, 1902, dated May 5, 1902, from information furnished by Rev. W. H. Walker, D. D., of Lynn, Mass., purporting to have been gathered from letters received from his son, J. Pennett Walker, a private in Company I, Sixteenth Infantry, United States Army, "now at Sorsogon."

By reference to "Roster of troops serving in Department of Northern Luzon," published November 1, 1900, it would appear that at that date the Sixteenth Regiment, United States Army, was stationed at Aparri, and that Col. Charles C. Hood, of the Sixteenth United States Infantry, was commanding the district comprising the provinces of Cagayan, Isabela, and Nueva Viscaya, and the entire regiment was located within his district.

The roster of troops published October 31, 1901 (eleven months later), on page 4 still shows Colonel Hood in command of the second district of Northern Luzon, com-

the same three provinces, with the entire Sixteenth Regiment within his and Company I located at Aparri.

ations of troops published at Manila, dated February 15, 1902, still shows the h Regiment with headquarters at Aparri and Company I located at that point. attached article states that the letters received were written by J. Pennett of Company I, Sixteenth Infantry, "now at Sorsogon."

ference to the map of Luzon, it will appear that the province of Sorsogon is one southeastern province of the mainland of the island of Luzon and is a he Department of Southern Luzon, whereas Aparri and the districts consti- he second district of northern Luzon are located on the extreme northern the island of Luzon and the two points are as far apart as they can be on

regiment was at Aparri, with Colonel Hood commanding the second district, mber 1, 1900, as shown by the first roster referred to; was still there October , as shown by the second roster referred to, and continued to be there on y 15, 1902, in the third roster referred to, is it likely that at any time within able period, when 1,000 Filipino prisoners would have been captured, Private -tt Walker was at Sorsogon? Furthermore, the latter states that he went on " with Lieutenant Burr. Neither the roster of the Sixteenth Regiment, States Army in 1900, nor the roster of the Sixteenth Regiment on October 31, r the last edition of the Army Register shows a Lieutenant Burr in Company -ther company of the Sixteenth Regiment, United States Army. There is -nant Burr in the Philippines in command of a company of scouts, but not any of scouts connected with the second division in northern Luzon. Care- deration of the reports at hand fail to discover any engagement in command -lieutenant killing 300 insurgents and capturing 1,000 prisoners, as stated in cle.

records of the Army, as shown by the rolls, establish the fact that the Six- -giment, United States Army, left San Francisco May 28, 1899, and arrived la June 26, 1899, and the undersigned, with J. G. Hudson, of the Army rolls , have on this 6th day of May, 1902, examined the Army rolls of Company -tth Regiment, United States Army, and find that there never has been on -of said company a man by the name of "J. Pennett Walker," "J. Bennett " "J. B. Walker," or "J. P. Walker," either as a private, corporal, ser- r commissioned officer, since May, 1899. We did not deem it essential to go that date.

amination of the report of General Chaffee of events in southern Luzon from al of the Fifteenth Regiment United States Infantry, in which Lieut. Frank is an officer, to wit, first lieutenant of Company E, on detached service in on with Philippine scouts (so understood), we find that from the date of its to wit, September 4, 1900, to August 26, 1901, no report of any engagement - Lieutenant Burr took part is made, unless it be one on February 8, 1901, in -battalion of the Fifteenth Infantry was engaged, where there were 3 of the killed, 1 wounded, and 3 captured.

all other engagements of that regiment, the names and companies are given, hat does not appear in any reports made to or by his regiment.

It be further added that in the ten months of reports from that regiment on -agements are reported, wherein the aggregate shows 26 insurgents killed, -d, and 21 captured.

port of Governor J. G. Livingstone, of Sorsogon Province, dated January 11, -orts in detail conditions in that province since April 30, 1901 (p. 459, Hear- -est Committee on Philippines), and he makes no mention of any such affair -fair where any number of insurgents were killed or captured after August -date of General Chaffee's report.

-nant Burr himself reported to his proper superior officers from time to time, and in the report of the Lieutenant-General Commanding the Army for 1901, as follows:

1901 17.—Fifth district, headquarters scouts and Forty-first Volunteer Regi- -ts, commanded by Lieutenant Burr, Fifteenth Infantry, met a band of -ts in the mountains west of Balanga, routed them; killed 7 and captured 4

1901 17, 1901.—Lieutenant Burr, Fifteenth Infantry, commanding Fifth dis- -ts, met ladrones east of Santa Maria; killed 2 and captured 1 rifle."

sequently makes a final report for the month of February, 1901, showing -agements of his scouts wherein several guns were captured. All the fore- -southern Luzon

and appear but natural that had Lieutenant Burr, either as commanding

officer or as participant, been engaged in an engagement as suggested by the article by the Rev. Walker, he would either have reported it himself or have seen that some other officer did so report.

The result of the foregoing would locate Company I, Sixteenth Regiment, at Aparri, in a northerly point of Luzon; the affair recited at Sorsogon, in the extreme southeastern part of Luzon, and Lieutenant Burr in the central portion, and Private J. Pennett Walker not located.

There is a John B. Walker in Company I, Fifteenth Infantry, United States Army.

Should it transpire that the man Walker referred to is a member of Company I, Fifteenth Regiment, United States Army, then we submit the following as the record of the Fifteenth Regiment, and especially Company I:

By General Chaffee's report, Appendix N, it is shown that two battalions of the Fifteenth Infantry, United States Army, arrived in the Department of Southern Luzon, one (third) September 4 and the other December 15, 1900. On page 7 of the same appendix it is shown that the battalion arriving September 4 was sent to the towns of Sinoloan, Paquil, Paete, and Santa Cruz, Laguna Province. The battalion arriving December 15 was sent to Legaspi and Tabaco, province of Albay and island of Catanduanes.

It subsequently appears that Company I was a part of the First Battalion, which was stationed at Laguna, as shown on page 16, where, on April 24, the Third Battalion of the Fifteenth Infantry, including Company I, was moved, Company I going to San Jose de Lagoney, Albay Province; Company K to Sorsogon; Company L to Jupat and Matnog, and Company M to Donsol and Bulan.

It subsequently appears, on page 18, that Company I was transferred from San Jose de Laguna to Tobaco, Albay Province. At some time subsequent to July 14, 1901, Company I may have been transferred to Sorsogon, and hence, if the capture of 1,000 and killing of 300 insurgents by Company I, or any part of it, occurred, it must have been subsequent to July 14, 1901.

That our memorandum is correct we submit the following reports of engagements and expeditions by companies and battalions of the Fifteenth Infantry, United States Army, from the time of their arrival in the Department of Southern Luzon up to and including August 26, 1901.

The following, taken from Appendix N, being report of military operations in the Department of Luzon from August 1, 1900, to August 26, 1901 (report of General Chaffee):

"September 27.—Engagement by Captain Mitchell with Company L, in which 10 insurgents were killed, 20 wounded, and no captures. This occurred at Laguna, a province situated just south of Manila and several hundred miles north of Sorsogon.

"December 26.—An engagement by Company M, Fifteenth Infantry, in which 1 insurgent was killed and 1 wounded and 9 captured. This was also in Laguna Province.

"December 31.—Another slight engagement by Company M; no insurgents killed, wounded, or captured.

"December 31.—Another engagement by Company L, in which 2 insurgents were killed, 1 wounded, and 1 captured.

"January 25, 1901.—Another engagement, company not given; no insurgents killed or wounded; 9 captured.

"February 8.—Engagement by battalion, consisting of Companies I, K, and M, in which 3 insurgents were killed, 1 wounded, and 9 captured.

"February 19.—Engagement by Company D, in which 2 insurgents were killed, 1 wounded, and 1 captured.

"March 27.—Engagement by Company M, in which 2 insurgents were killed, 1 wounded, and 1 captured."

All of the foregoing were in the province of Laguna, above referred to.

"June 1.—Engagement by company not named, in which 15 insurgents were killed, 1 wounded, and 1 captured.

"June 7.—Engagement by Company D, in which 1 insurgent was killed, 1 wounded or captured."

The last two engagements were in the province of Albay, situated north of Sorsogon. No engagements in Sorsogon reported.

The foregoing, considered in connection with matter previously considered, showing that Lieutenant Burr was operating in central Luzon until at least March 1, 1901, these reports showing engagements of the regiment to August 26, 1901, and the report of Governor Livingston, on page 419 of hearing, covering conditions up to January 11, 1902, would exclude the probability, if not the possibility, of any such affair occurring as referred to herein.

WAR DEPARTMENT,
Washington, May 7, 1902.

SIR: I have the honor to inclose herewith a copy of a letter of Hon. W. H. Taft, dated the 5th instant, together with copies of the several inclosures mentioned therein.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,
Chairman Committee on the Philippines,
United States Senate.

WASHINGTON, D. C., May 5, 1902.

Hon. ELIHU ROOT,
Secretary of War, Washington, D. C.

SIR: I have the honor to request the transmission to the Senate Committee on the Philippines of the following documents:

(1) Letter from President John R. Procter of the United States Civil Service Commission, transmitting an extract from a letter sent by him to the Philippine civil-service board.

(2) The annual report of the governor of Capiz.

(3) A statement of the financial conditions of the treasuries of the provinces in the Philippines.

(4) A statement of the result of the provincial elections of the Philippine Islands.

Very respectfully,

WM. H. TAFT,
Civil Governor.

PHILIPPINE CIVIL-SERVICE BOARD,
Manila, January 15, 1902.

The EXECUTIVE SECRETARY, Manila, P. I.

SIR: Copy of an extract from a letter received from the chief examiner of the United States Civil Service Commission is transmitted to you herewith for your consideration.

Very respectfully,

W. S. WASHBURN, Chairman.

[Extract from letter from chief examiner of the United States Civil Service Commission.]

During this fall's examination we made every possible effort to secure as many stenographers and typewriters who were willing to go to the Philippines at \$1,200 as could be found in the United States who were capable of passing the examination. Notwithstanding all our special announcements, reading notices, interviews, and other efforts, we were able to gather together but 41 competitors who were willing to accept service there at that salary, and a considerable number of these are men who have not been able to make a success in that work in the States.

Therefore I fear that we will be compelled either to furnish you a very inferior grade of stenographers, or your Commission will have to provide a much more attractive field in order to get fairly good

men. Every possible advantage was taken during the summer and early fall of a dearth of news to ring in stories about Philippine stenographers. We even resorted to flights of imagination in order to swell the list of competitors, but, as I have told you, the harvest is not "great." As many as nineteen telegrams were required in order to secure one acceptance for your service. This, in part, accounts for the delay in getting men to Manila. The rest of the delay is due to the inability to secure prompt transportation for them. In some cases, after securing an acceptance of the proffered appointment, the appointee has not been able to be transported from San Francisco until from thirty to sixty days later.

In one case a man who had accepted could not be furnished with transportation within a reasonable time, and in the meantime lost the position he then had here, and only succeeded in getting forwarded by accepting the limited accommodations of a private soldier. This condition of affairs is exceedingly discouraging to good men, who quite easily, under present conditions in the States, are able to do better at home. A short time ago, in the effort to fill a vacancy on the Commission's force, we corresponded with eight or ten different eligibles before we were able to secure an acceptance, and the one who accepted can not report before about January 1. When it is so difficult to secure employees in the States, notwithstanding the encouraging conditions for promotion here, you can readily see how much more difficult it is to secure them for service so far from home and involving such a tremendous change in surroundings and conditions.

However, we are trying to do the very best that can be done under the circumstances, and hope to supply you with a fair number of people of suitable qualifications. In this connection let me suggest that it is only necessary for you to remember your own experience in getting transportation to Manila to imagine what it may be in the case of less important employees. Another feature that is deterring acceptance is the general impression throughout all the United States that expenses of all kinds for a white man in the Philippines are abnormally high. If civil employees could have the special privileges of (1) securing a home there for a low rental and (2) securing supplies from the Commissary Department at army rates perhaps your service would be considerably more attractive. We have not been able to say much about promotions for stenographers beyond \$1,400, while information is from time to time being printed and disseminated throughout the States to the effect that good stenographers can make from \$2,000 to \$3,000 a year in private lines of work there.

From all I have learned this seems to be reasonably correct. Consequently, such stenographers as are willing to go to the Philippines seem inclined to think that the salaries offered by the Government for service there are little less than beggarly, and only the man out of work (because of his undesirability or inefficiency), or the young fellow who hopes for an opening there in other lines, but who has not money enough to make the trip without Government aid, can, at present, in most cases, be obtained for you. I think, also, if your Government had some provisions, as an inducement to good men, of insuring their return to the States without expense if the climate does not agree with them, it would be of considerable help. Again, under present conditions, a man has to expend considerable money in getting prepared for and making the trip, for which he will not be reimbursed

and then run the chances of not being satisfactory to his superior officers and not being able to return under two years, unless he bears all the expense of the trip.

This means a good deal to most bright, energetic young fellows, and has no doubt kept many of them from desiring service there who would otherwise have been glad to go. If first-class stenographers and typewriters are essential to the service there, some of the things I have mentioned must be provided for before you can expect to get a supply anywhere near commensurate with your demands. We secured a fine lot of eligibles from the department assistant examination—much better than I had hoped for. But you will find that most of them expect a pretty good salary, and will not go without it.

Official copy, respectfully furnished by direction of the acting civil governor to the Hon. William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSSON,
Executive Secretary.

EXECUTIVE BUREAU,
Manila, January 15, 1902.

APRIL 25, 1902.

HON. WILLIAM H. TAFT,
*Civil Governor of the Philippine Islands,
War Department, Washington, D. C.*

DEAR SIR: The Commission has the honor to return herewith the reference from Secretary Fergusson, which you handed Mr. Kiggins this morning, with respect to the difficulty of securing persons qualified in stenography and typewriting for the Philippine civil service.

The letter of the chief examiner of this Commission, an extract from which is quoted in the reference of Secretary Fergusson, was written last fall and represented the difficulties which then existed in getting men for service in the Philippines. Since that date, however, conditions have materially improved. In December, on his return from the Philippines, the Commission designated Mr. Kiggins to take charge of the Philippine work at this office. Special attention has since been given to the needs of the Philippine civil service, and in the published announcements of examinations the advantages offered to young men by a career in the islands have been dwelt upon at length with satisfactory results. On January 6 and 20, for instance, two special examinations for stenographers and typewriters for service in the Philippines were held by the Commission, and more than 250 applicants were examined.

Over 100 eligibles were secured, and with only one vacancy as stenographer and typewriter to fill at this time, there are over 80 eligibles on the register. In the examinations this spring for stenographers and typewriters for the Philippines 273 persons have applied, and it is believed that when their papers are rated 100 additional eligibles will be available for your service. It will therefore be observed that instead of a dearth of eligibles in stenography and typewriting, as was the case last fall, there is now an excess of eligibles. Many of the persons qualified as stenographers and typewriters for service in the Philippines

have attained high ratings and compare favorably with the best eligibles secured for service in the United States.

The Commission during the last few months has also received requisitions from the Philippine government for compositors, bookbinders, pressmen, electrotypers, architectural draftsmen, experts in the Department of Agriculture, and for men with other professional and technical qualifications. All of these requisitions have been filled with the exception of one electrotyper for the bureau of printing and five farm managers for the bureau of agriculture, which vacancies will be filled in a few days, as eligibles have been secured.

The recent cablegram calling for six auditing clerks has been acted upon, and six competent men have been secured for the service.

It is proper to state that pains are being taken to select men who are not only competent but physically sound and personally unobjectionable. In making the selections of persons qualified as auditing clerks, it was found that a number of those who were suggested for those positions were limited in ability, while others, because of their habits, etc., were not wanted in their respective offices. The Commission has proceeded upon the theory, however, that this service can better afford to retain unsuitable men than to let them go to the Philippines, where they may bring discredit upon the Government.

A letter has been recently received from the Philippine civil-service board stating that there will probably be a need of civil engineers, medical men, and nurses for the service. No difficulty is anticipated in filling requisitions of this character, as the announcement of the examinations for chemists has already resulted in a large number of applications. A copy of this announcement is herewith inclosed for your information, as it indicates what is being done to acquaint applicants with the conditions of employment in the Philippines.

Very respectfully,

JOHN R. PROCTER,
President.

[No. 200.]

AGRICULTURAL CHEMIST, ANALYTICAL CHEMIST, PHYSIOAL CHEMIST,
PHYSIOLOGICAL CHEMIST, PHARMACOLOGIST.

[Philippine service, May 6-7, 1902.]

The United States Civil Service Commission announces that the examinations scheduled for April 2, 1902, for the positions of chemist, physiological chemist, and analytical chemist will not be held, but that the examinations for the positions named below will be held on May 6-7, 1902, at the places mentioned in the accompanying list.

Age limits for these examinations are 18 years or over.

The examinations will consist of the subjects mentioned below, which will be weighted as follows:

AGRICULTURAL CHEMIST.		Weights
1. Advanced quantitative analysis, including water analysis.....		30
2. Agricultural chemistry, theoretical		30
3. Agricultural chemistry, analytical, covering the topics contained in the bulletin of methods of the Association of Official Agricultural Chemists.....		30
4. Technical training and experience		10
Total.....		100

or the fourth subject credit will be given for such experience as monstrate the fitness of the applicant for the work to be done. oportunities for acquiring training subsequent to that received o the completion of the general college course should be clearly th in Form 375. In grading this subject the minimum of 70 given for one year of post-graduate laboratory work, while the um of 100 will be given for two or more years of such work. ll be necessary for applicants to show that they have completed S. degree. This information should be shown specifically on 375. Those having completed the master's degree will be given nce. For general chemistry at least one-half year's laboratory r organic and inorganic chemistry must be shown. days of seven hours each will be allowed for this examination. v, first year, \$1,500. ication Forms 304 and 375.

ANALYTICAL CHEMIST.		Weights.
alogy		10
cal chemistry		10
nalysis		10
ing		15
titative and mineral analysis, first part		20
titative and mineral analysis, second part		15
rience and training		20
		<hr/>
otal		100

applicants must show that they have completed the course of overed by the degree of B. S., Ph. B., or B. A., and it is desir- at the competitors for this position shall have attained the of Ph. D. The length and character of instruction received the practical laboratory work done subsequent to receiving the s should be clearly set forth in Form 375. Experience and g will be rated upon the statements set forth in this blank, and her statements of qualifications as may be obtained from pro- under whom the applicant has worked. Applicants should e copies of any theses or publications prepared covering origi- ck done, or, if copies can not be furnished, reference should be o the place and date of publication of such works. A full and te history of the applicant's training and experience is necessary re to him full credit in this subject. days of seven hours each will be allowed for this examination. s 1 to 4 will be given on the first day and the remaining subjects ond day. ication Forms 304 and 375. y, \$1,500 per annum.

PHYSICAL CHEMIST.		Weights.
emation (differential and integral calculus)		10
ical measurements		25
cess quantitative analysis		10
cal chemistry		20
ature of physical chemistry		5
nence and training		30
		<hr/>
cal		100

All applicants must show that they have completed the course of study covered by the degree of B. S., Ph. B., or B. A.; but competitors who have received the master's degree, preferably the degree of Ph. D., will be given a higher rating in the subject of training and experience. The length and character of instruction received and of the practical laboratory work done subsequent to receiving the degrees should be clearly set forth in Form 375. Experience and training will be rated upon the statements set forth in this blank and such other statements of qualifications as may be obtained from professors under whom the applicant has worked.

Applicants should furnish copies of any theses or publications prepared covering original work done, or, if copies can not be furnished, reference should be made to the date and place of publication of such works. A full and complete history of the applicant's training and experience is necessary to secure to him full credit in this subject.

Two days of seven hours each will be allowed for this examination.
Application Forms 304 and 375.

Salary, first year, \$1,800.

PHYSIOLOGICAL CHEMIST.

	Weight
1. Anatomy and physiology.....	30
2. General biology and microscopic technique.....	30
3. Analysis of foods.....	30
4. Physiologic chemistry and toxicology.....	30
5. Technical training and experience.....	10
Total.....	100

Under the fifth subject credit will be given for such experience as will demonstrate the fitness of the applicant for the work to be done. All opportunities for acquiring training subsequent to that received prior to the completion of the general college courses should be clearly set forth in Form 375. In grading this subject the minimum of 70 will be given for one year of post-graduate laboratory work, while the maximum of 100 will be given for two or more years of such work.

The degree of M. D. is a prerequisite, and, as general requirements, it will be necessary for applicants to show that they have completed the course of studies covered by the B. S. degree. This information should be specifically stated in Form 375.

Subject 3 will be covered by the topics contained in Bulletin No. 46, revised edition, United States Department of Agriculture, Methods of Analysis of the Association of Official Agricultural Chemists, which can be obtained by application to the Department.

Two days of seven hours each will be allowed for this examination.
Salary, first year, \$1,800.

PHARMACOLOGIST.

	Weight
1. Anatomy and physiology.....	10
2. Bacteriology and pathology.....	10
3. Pharmacology.....	30
4. Internal medicine, including etiology, symptomology, and general diagnosis.....	30
5. Physiologic chemistry.....	10
6. General biology, including animal and vegetable histology.....	10
7. Technical training and experience.....	10
Total.....	100

Under the seventh subject credit will be given for such experience as will demonstrate the fitness of the applicant for the work to be done.

All opportunities for acquiring training subsequent to that received prior to the completion of the general college courses should be clearly set forth in Form 375. In grading this subject the minimum of 70 will be given for one year of post-graduate laboratory work, while the maximum of 100 will be given for two or more years of such work.

The degree of M. D. is a prerequisite, and, as general requirements, it will be necessary for applicants to show that they have completed the course of studies covered by the B. S. degree. This information should be specifically stated in Form 375.

Two days of seven hours each will be allowed for this examination.

Application Forms 304 and 375.

Salary, first year, \$1,800.

These examinations are open to all citizens of the United States who comply with the requirements.

These examinations offer an excellent opportunity to enter a service which has many attractive features and to see a most interesting part of the world. The Philippine service is classified, and the law contemplates promotions on the basis of merit from the lowest to the highest positions.

Thirty days' leave of absence is granted each year, exclusive of Sundays and holidays, and those employees who are promoted to \$1,800 per annum are entitled to thirty-five days, or about forty days including Sundays and holidays. Leave is also cumulative, and at the end of three years those who have to their credit cumulative leave for two years may visit the United States without having the time in going to and returning from San Francisco charged against their leave. China and Japan are near at hand and are favorite places to visit during vacations. Saturday is a half-holiday.

Appointees will be required to pay their traveling expenses to San Francisco, but the Government furnishes them transportation free of charge on its transports from that point to Manila, but exacts a charge of \$1.50 a day for meals while en route, which is returned to the appointee upon his arrival at Manila. Employees who are residents of the United States at the time of their appointment shall, after six months' satisfactory service, be reimbursed for their traveling expenses from the place of their residence to the point of embarkation for Manila.

The Philippine climate is good, and nearly all the employees are in excellent health. Medical attendance, when required, is furnished employees without cost. Good accommodations (room and board) can be secured in Manila for about \$35 a month, while employees assigned outside of Manila obtain cheaper accommodations.

The office accommodations in Manila are good, and the work is done under pleasant conditions.

Persons who desire to compete should at once apply to either the United States Civil Service Commission, Washington, D. C., or to the secretary of the local board of examiners at the places mentioned in the accompanying list for application Forms 304 and 375, which should be properly executed, including the medical certificate in Form 304, and filed with the Commission at the earliest practicable date. The regulation requiring that applications be filed at least ten days prior to the date of the examination will be waived in accepting applications for this examination.

MARCH 29, 1902.

ANNUAL REPORT OF THE PROVINCIAL GOVERNOR OF CAPIZ, 1901.

REORGANIZATION OF THE PROVINCE.

On April 14, 1901, the honorable United States Philippine Commission, composed of Messrs. Taft, Ide, Moses, and Worcester, and the secretary and interpreter, Mr. A. W. Fergusson, accompanied, among others, by the illustrious wives of several of the commissioners and the president of the Federal party, Señor T. H. Parde de Tavera, arrived at the shores of this province, then pacified, to establish the civil rule so earnestly desired by its inhabitants.

On the 15th, after holding two sessions in the "Jaena" Theater, the Commission appointed the following corps of government officials, among whom figures, although undeservedly, the author of this report: Governor, Señor S. Jugo Vidal; secretary, Señor Simeon Mobe; fiscal, Señor Alejandro Pardo; treasurer, Mr. Marion C. Rayson; supervisor, vacant.

Unfortunately, shortly after his appointment, the provincial treasurer fell seriously sick and was treated in the hospitals of Iloilo. While there, he applied for permission to return to America, and in June Messrs. W. O. Thornton and Thomas Leonard were appointed, respectively, treasurer and supervisor.

During the months of April and May the time was taken up with reorganizing the offices of the government and organizing the municipalities in accordance with the provisions of municipal law No. 82. Mr. O. E. Hunt, first lieutenant of the Eighteenth Infantry, was commissioned to carry out the latter work. Upon resigning the commission on June 15 he had organized the following municipalities: Capiz, Loctugan, Panitan, Dao, Cuartero, Dumarao, Sigma, Jagnaya, Maayon, Panay, Pilar, Casanayan, Yuisan, Tapas, Sapián, Batán, Lezo, Banga, Malinao, and Mambusao. The following pueblos were organized by me: Jimeno, Baleto, Numancia, Macato, Tangalan, Navas, Buruanga, Madalag, and Libacao. The remaining pueblos of Calivo, Ibajay, Pontevedra, and Dumarao (sic) had already been organized under military order No. 43, and were, therefore, on the 3d of December last reorganized in accordance with municipal law No. 82. The province is now composed of 34 municipalities, of which Capiz belongs to the first class, Mambusao to the second, Pontevedra, Calivo, Panay, Batán, Ibajay, Dumalag, and Dao to the third, and the other 25 to the fourth.

In the work of the organization of those municipalities the pueblos showed their aptitude for exercising electoral duties. No unpleasant incidents took place, nor were there any serious grounds for annulling the first elections held in each pueblo, except in the cases of Jimeno and Mambusao.

The municipal elections of Jimeno were annulled on account of a fatal irregularity occurring through a misapprehension on the part of Mr. Martin, then commanding officer of the military detachment. When Lieut. O. E. Hunt, who had been appointed commissioner of elections, resigned this post, he failed, by reason of his manifold duties, to instruct the said Corporal Martin not to interfere with the election of the pueblo, as I had taken charge of them by virtue of a resolution of the civil commission. So that when I established myself in the pueblo in question on July 1, to superintend the elections, Corporal

refused to recognize my authority, on the ground that he had received any order to that effect from his immediate commanding Mr. Hunt.

When I saw further that the corporal had interpreted the article in relation to the qualifications of electors in such a way as to include all inhabitants of Jimeno over 23 years of age, with the result that all the men of the municipality and the policemen to the number of one hundred were compelled to vote in spite of the protests of the day of election, I found no other course left open to me but to retire and nullify the elections, declaring that fresh ballots would be taken in fifteen days. These latter passed off without a protest of any kind in a perfectly orderly and legal manner.

In the pueblo of Mambusao a similar occurrence took place, owing to interference on the part of the military, with the result that even there still prevail there anarchy (*anarquía*) and feuds between the parties into which the pueblo is divided.

On the 9th day of last April the first elections were held in the pueblo of Mambusao by virtue of instructions issued by Lieutenant Hunt, the commissioner of elections, to the electoral judges appointed by him. And during these elections there reigned the most perfect order, as during the three days within which, under the municipal law, protests have to be filed with the judges.

When Señor Ramon Hontiveros, an old revolutionary colonel, the municipal president of the pueblo in question since the time of the Spanish Government—that is, for over four years—came to this town with some intriguers, among them Señors Ruperto Gapunan and Juan Pineda, the latter being the unsuccessful candidate for the municipal presidency, appeared before Lieutenant McBrum, then commanding the town of the pueblo, who, after giving ear to their tales and stories, referred to the commissioner, Mr. Hunt, to suspend the elections and withhold possession of office from Señor Ramon Hontiveros. Mr. Hunt did, without going through the documents relating to the elections, or even investigating the proceedings of the electoral judges, thus acting in clear contravention of the law.

When Señor Hontiveros arrived in this town, he was surprised to find not only that he was not allowed to take office, but that Lieutenant Hunt would not trouble himself even to read through the electors' papers. The lieutenant simply turned the papers over to this effect, declaring the elections held null and void, and announcing that new ballots would be taken on the 5th of the following May.

The affair did not stop here. On May the 3d, two days before the elections, Señor Hontiveros was accused by his enemies of treachery and incarcerated in the public jail of this capital, whence, two months later, he was transferred to the Bilibid Prison of Manila. As the case is now in the hands of the military authorities and I believe that it has already been tried in the courts, I am compelled to refrain from all comment; but as an impartial observer and an exponent of the public sentiment, I express my deep regret that this lamentable incident has occurred. Hontiveros has been the victim of local political intrigues. On many occasions he has urged that he wanted only a minute investigation to be made of his case; he protests his innocence and declares that he is the victim of the evil designs of his enemies. The public is now desirous of having a strong light thrown on the whole matter and of seeing justice done to the accused.

In view of the results experienced in 1901, it may be said that with the exception of the two incidents in Mimenó and Mambusao, the elections have been fairly successful, and that they demonstrate the great fitness of the people for the enjoyment of these conquests of liberty and progress.

ECONOMIC CONDITION OF THE PROVINCE.

Since the latter part of the year 1901 the pueblos of this province have been harassed by various plagues, aside from the fact that in consequence of the four years of war and political upheavals the pueblos of Panay, Cuartero, Dumalag, Tapaz, Jamindan, Jagnava, Jimeno Sapián, Batán, Balate, Tangalan, Maoato, and Banga have been entirely destroyed by fires, while those of Dao, Madalag, Malinao, Libacao, Maayon, and Pilar have been consumed in part.

First, there was the locust plague, which destroyed half of the crops of rice, maize, and sugar. Later the rinderpest attacked the carabaos, vaccine cattle, and swine, killing about 90 per cent. And lastly those virulent fevers, such as smallpox, which are a consequence of famine and poor alimentation, have decimated the population of this province, steeping it in sickness and producing such a state of despair among its inhabitants that many years will elapse before it recovers its normal condition. The work done by the provincial officials toward rousing the public spirit and encouraging the pueblos to combine against the evil by planting alimentary tubercles, maize, cacao, coffee, coconut trees, hemp, and tobacco is beginning to have its effect. The scarcity of rice, which is the result of the lack of carabaos, is being relieved by the production of these new articles of commerce, which find a ready market; so that in many of the pueblos there is to be found, if not the abundance that formerly prevailed, at least a condition of things that is comparatively favorable to their well-being. It is to be noted that the planters are giving up the custom of growing rice exclusively, and very soon they will substitute with advantage, for this article of prime necessity, hemp, which is of good quality here, and copra, coffee, tobacco, cacao, and sugar, for which there is such a demand in many markets.

In the work of relieving the sickness which prevailed in this province and of staving off the famine, the charitable efforts of the well-to-do classes are worthy of special praise, committees being formed for the purpose of distributing food and of succoring the poor and sick. The ladies on this occasion gave fresh proofs of the beautiful sentiments which fill their hearts, for there were committees of ladies and girls (as, for instance, in the pueblo of Macato) who traveled from pueblo to pueblo begging alms for their sick and destitute. In this capital all classes, civil employees and military, vied with each other in making charitable donations. In the gardens of this government house, dinners were supplied every day to about 600 persons, who came in from the remote pueblos hungry and faint—and this for three consecutive months.

With the harvesting of the rice crop, in the months of November and December, the distressing situation was somewhat relieved, but it will not be long, especially in the summer and autumn months, before the scanty supplies of the poor are exhausted and the effects of the famine again become apparent.

Active and effective measures should at once be taken to prevent

the already scanty population of this province from disappearing altogether. If this is not done, the present emigration to other provinces where work is procurable (as, for instance, in the neighboring island of Negros) is likely to become general. Already the number of emigrants in Negros exceeds 5,000.

To remedy this great evil it would be well, in the first place, to supply the farmers of this province with work animals, the insular government negotiating a loan for that purpose of 100,000 pesos, redeemable at three years. The money would be secured by a mortgage on the lands and goods of the farmers, the respective municipalities in each pueblo acting as sureties.

As soon as this loan had been negotiated, a board of planters might be appointed whose business it would be to procure, in every way possible, suitable cattle from the neighboring colonies--carabaos being taken wherever offered. These cattle would be imported and distributed equitably among the pueblos, according to their several needs; the contracts and mortgages being first submitted for approval to the provincial board, which, in its turn, would secure the opinion of the provincial fiscal upon every contract made and document filed.

It would also be expedient to establish an agricultural bank, either official or private, but in either case under the supervision of the insular government, to give an impulse to agricultural interests. By this means the planter would be freed from the oppression of usury which prevails here. At present money can not be procured at less than 60 per cent; this is the ruin of agriculture and a drag upon all progress.

To encourage the reconstruction of the pueblos the routine for securing the gratuitous use by them of lumber within the boundaries of their respective municipalities should be facilitated. Owing to the ignorance of the people, especially those belonging to the poorer class, it is very difficult for them to get a permit to cut wood gratuitously. In the first place, they do not know how to make out the application themselves, and if they try to get someone else to do it they are asked for the work a price which they are unable to pay. Further, it has actually happened that an application has been returned to the sender by the chief of forestry in this locality five times, because it failed to conform with the requirement of the law—a law with which very few are acquainted. So it happens that the time passes by and the poor are unable to build their houses, as is their desire. For these reasons it would be expedient to have the permits issued by the municipalities themselves, on the report of the municipal council, and with the knowledge of the provincial board, the latter in turn notifying the bureau of forestry as to the persons who are enjoying the license granted by law in favor of the pueblos destroyed by fire, which provides that the cutting of 1,000 cubic feet of lumber per person shall be gratuitous. By this means the pueblos would be rapidly built up again, and new houses of agreeable aspect would be raised in the place of the ruins now presented to view.

The loan of \$25,000 gold, granted by the Civil Commission at my suggestion, for the repair of the roads and to furnish work to the needy classes, has not borne the fruits anticipated, owing to the various maladies which have overtaken the provincial supervisor at different times. By reason of this sickness the supervisor has been unable to push the work, with the result that the only roads repaired

were those to Loctugan and Yuizan with temporary bridges of cane, covering a total distance of some 20 kilometers.

For the remedy to have answered its purpose and proved efficacious the work should have been commenced in the pueblos where the misery was greatest, that is, in the interior; but as the supervisor has been unable to carry out the work there the pueblos are beginning to despair and to cry out loudly for work on the roads to be done in their respective municipalities. But it is impossible to attend to these claims, as we have only one inspector and he is frequently sick, as was the case recently in the month of January, when he fractured two ribs and had to keep his bed for the space of twenty days.

POLITICAL CONDITIONS.

Since the establishment here of civil government the inhabitants have displayed a commendable desire to make up for the time that has been lost in disturbances and political upheavals. Every day the feelings of confidence in and gratitude toward the noble American people become more deeply rooted in the hearts of the people; and where, until recently, there existed only doubts and suspicions, there are now springing up a legitimate and noble aspiration and a determination to reach such a grade of progress and culture that they may deserve the name of a free and cultured race.

As clear proofs of this we have the formation of innumerable commercial companies, through the union of small capitals, and the ardent desire displayed by both young and old to educate themselves and acquire a culture fitted to modern times. Above all, the effort to learn the English language shows a strong tendency to assimilate the civilization so keenly sought after, as well as an absolute confidence in the future of the Philippine Islands, to-day in the hands of the illustrious persons who form the Civil Commission, whose names are spoken with veneration even in the humblest cottages.

During the first few months after the establishment of the government in this province, and as a result of the difficult situation in which the civil government was placed by reason of the rapid change from the purely military régime, which had lasted for two years, to another completely antagonistic to the first, there prevailed a profound discontent in many pueblos. This was due, in the first place, to the abuses committed by a certain few of the evilly disposed (such being found in any institution, however noble) among the American soldiers who, under the command of corporals or sergeants, formed the detachments of many pueblos. The behavior of such elements was indeed a trial and a veritable Calvary to some municipalities; fortunately such cases were few, for generally the soldiers not only knew how to do their duty but also endeavored to assist the recently constituted government. This was true in the case of the never-forgotten provost-marshal of this city, Mr. Shanks, and his officers, Messrs. Herron, Hunt, Wells, and many others, who rendered valuable services to the civil government in this place, and redressed the wrongs committed by some of the soldiers. In this way the confidence of the pueblos was restored and a failure in the work of the Civil Commission averted.

This was proved, as well as the fact that the confidence in the established government had taken firm root in the minds of the residents of this province, by what took place during the trying conditions

existed in the months of October and November, when the news of the disaster of Balajinga reached us here. At that time certain violent rumors went abroad to the effect that there had appeared in the mountains a band of 60 insurgents, well armed and proceeding toward Samar; also that 200 guns had been landed at Lagatio, and that a general uprising was imminent. These reports in the mouths of the people spread the panic everywhere; and, according to some elements, a serious disturbance of the public order, and a correction was to be expected. Fortunately this catastrophe was averted, thanks to the active measures taken by all the pueblos, whose authorities vied with each other in the promise they made to the then civil government to answer for the public order and tranquillity of their lives.

It was a noticeable fact that even the robbers and bandits, when they learned that, in the event of a general breach of the public order, this province might lose its recently constituted government, were moved by impulses of patriotism and desisted from their customary acts of violence, so that the general calm prevailed even in the mountains, and the military element ran from this side to that in search of the imaginary enemy, which they were never able to discover.

As a reason of the fact that, up to the present, the police of the municipalities of this province have, with few exceptions, not been furnished with suitable arms, and that, until the months of November and December, the organization of the Philippine constabulary was not completed by Mr. Castles, the present inspector, and his officers, Messrs. J. M. Kiely, and Lyons, those leading evil lives—malefactors by profession—were able to commit their assaults and raids with impunity and to commit robberies of carabaos and other property, as well as make depredations on defenseless wards and pueblos.

It was also a fact, owing to the famine, with lack of resources among the poorer classes here, that it induced many to join these bands of robbers. At the present time the outlaws have in their possession about 40 guns, distributed throughout the mountains of this province. These weapons are remnants of the revolution. The number of these bandits and of their arms has been increased by the arrival here of others from Iloilo, their favorite rendezvous being the rocky mountains of Laladon and Yating, in Pilar, and Montevedra, where there are several bands of them, with some 150 men. There are others in the mountains of Guia and Centro, in Maayon, Paniton, Dao, and Cuartero, with some 8 guns; and in the mountains of Batiano, Garcia, and Lumanagnay, in the districts of Mambusao, Tapaz, and Jamindan, there are several more, each with some 8 guns.

Unfortunately these bandits are supplied with but little ammunition. In spite of the fact, however, they utilize their firearms to terrorize the pueblos unprovided with detachments of constabulary or with fire-arms, and there commit robberies of rice and carabaos.

Since the beginning of this month the detachments of constabulary stationed in the districts of Dao and Pilar have had some encounters with these outlaws and have routed them on every occasion, with considerable losses on the side of the outlaws and the capture of many guns. It is hoped that very soon all the pueblos will be rid of these pests. In this connection the energy and valor of Inspectors J. M. Preston, Lyons, and Kiely, who did not rest in their work of bringing down malefactors, is worthy of special praise.

Their work would be more efficacious if the municipal police of every municipality were furnished with rifles or shotguns. Throughout the year 1901 these police rendered valuable services to the government. Attention is especially called to the behavior of the police in the pueblo of Guartero, who, armed only with "bolos" (knives), routed a party of robbers and captured two rifles. These were turned over to Mr. Grote, who was then provost-marshal. The conduct of the Malinao police is also worthy of mention. On several occasions they have caused the robbers in the Rosario ward of the pueblo serious reverses, killing more than six of them and capturing a Remington gun. I am of the opinion that if all the municipalities had arms the robber bands would rapidly disappear, as every pueblo is anxious to extirpate these men, who are to-day the cause of their misery and ruin, since the presence of the outlaws renders impossible the cultivation of the fields.

All the municipalities, with the exception of Capiz and Calivo, are provided with bodies of police, composed of six privates and a sergeant, the latter acting as the commanding officer. The conduct of every member of the force is answered for by two leading citizens of the pueblo. Occasionally the leading citizens themselves are the persons who compose the police force.

These municipal police should be armed as soon as possible so that the constabulary might be freed from the duty of having to furnish several pueblos with detachments, each consisting of ten members, which makes it impossible for them to move for fear that during their absence the pueblos in which they are stationed might be burned. If the local police were armed the constabulary would enjoy greater liberty of action, and their operations could be carried out with better success.

The department of public instruction has been somewhat neglected by the municipal councils. Owing to the lack of instructions from the superintendent of instruction of this district the schools were not organized until the end of the year. This delay was due also to the depletion of the municipal treasuries, the funds being so low in the year 1901 that the pueblos were scarcely able to pay the salaries of the municipal officers and police force. Indeed, many of the presidents received only a fourth part of the amounts due them, relinquishing their right to the remainder in favor of the municipal treasuries, but even so the revenues of the municipalities were hardly sufficient to meet the most urgent needs.

With four exceptions the municipalities lack decent schoolhouses, and if the construction of the same is to be delayed until the necessary funds are to be found in the municipal treasuries, I believe that many years will elapse before they are supplied.

It would seem to be necessary to advance from the funds of the insular treasury the moderate sum of 1,000 pesos to each municipality unprovided with school buildings. With this sum and with the assistance of the residents two schoolhouses, constructed of strong materials, with iron roofing, should be built, one for boys and the other for girls. I believe that this could be done in a short time, if permission were granted to cut the necessary lumber free of tax. The above-mentioned sum, which is quite small, would cover the cost of the sheets of galvanized iron for the roofing and the necessary labor involved in the construction. The stone, lime, and lumber used

would be supplied by the municipalities, which on several occasions have shown the interest they take in the question of public instruction by expressing their willingness to furnish these materials free.

Many of the pueblos are without court-houses, and the few that are to be found are in bad condition and roofed with "nipa" grass. Only this capital and Calivo are provided with good court-houses with iron roofing. To supply the pueblos with these buildings, and so improve their general aspect, a loan of \$1,500 Mexican each would be necessary. With this sum they would be able to put up buildings of stone and wood, with iron roofing, the laborers being provided by the pueblos.

Another of the difficulties encountered by this government is in regard to the nomination of justices of the peace. In many of the pueblos there is a lack of persons willing to fill the post, especially in the municipalities belonging to the third and fourth classes. A day rarely passes by that this office does not receive petitions tendering the resignation of persons appointed as justices of the peace.

The common reason assigned for resignation is that as things are at present a justice of the peace has to furnish, at his own cost, his secretary and suitable quarters for his office, while he receives only about 9 pesos a month, out of which he has to provide his own paper and office supplies.

It would be expedient to divide up the province into districts, each district comprising four pueblos, and one justice being appointed to each district. It would be the duty of this justice to reside in each pueblo during one month and a half twice a year, the work of conducting the preliminary proceedings in every case being done by the president.

In summing up it may be said that the general economic condition of the province is deplorable enough, but that it might be relieved in the following way: By furnishing the planters with carabaos; by the establishment of agricultural banks and centers of learning for instruction in arts and trades and practical agriculture; by enabling the poor to enjoy the benefits of the law permitting every person to cut gratuitously up to 1,000 feet of lumber for the rebuilding of the pueblos destroyed by fire; by the construction of school and court-houses out of the funds of the insular treasury or by means of a loan to each municipality of 1,000 pesos for the two schoolhouses and 1,500 pesos for the court-house.

In regard to the political situation the following measures are called for: The furnishing of the police of each municipality with suitable arms and the organization of the force under the supervision of the inspectors of constabulary; the enactment of a special law for the repression of brigandage and the stealing of carabaos, care being taken that the penalty is efficacious; and, lastly, the division of the province into eight districts, with a justice of the peace in each district, or the furnishing to the present justices of an allowance to cover office expenses.

The above is a rough outline of the most urgent measures needed in order that the province may return, little by little, to its normal condition, and so prepare itself for the enjoyment of the reforms that the honorable civil commission has in contemplation.

Very respectfully,

S. JUGO VIDAL, *Governor.*

Balance in hands of provincial treasurers December 31, 1901, as shown by their accounts.

[United States currency.]

Province.	Amount in treasury.	Amount of loans by insular government included in this balance.
Abra	\$501.02	.....
Albay	25,065.07	\$2,500.00
Ambos Camarines	38,886.91	25,000.00
Bataan	3,015.58	2,500.00
Batangas	12,329.78	2,500.00
Bohol	16,521.23	2,500.00
Bulacan	8,973.24	.....
Iloilo	16,850.04	.....
Ilocos Norte	8,431.12	2,500.00
Ilocos Sur	10,347.94	2,500.00
Isabela	(*)	2,500.00
Leyte	16,075.45	.....
Marinduque	1,122.75	2,500.00
Masbate	1,051.68	2,500.00
Occidental Negros	20,143.67	.....
Oriental Negros	17,742.23	.....
Pampanga	18,949.55	2,500.00
Rizal	2,890.35	2,500.00
Sorsogon	12,875.02	2,500.00
Surigao	4,311.20	2,000.00
Tarlac	10,110.76	.....
Tayabas	11,424.27	.....
Union	8,397.98	2,500.00
Zambales	5,749.83	2,500.00
Total	272,023.67	62,000.00

* No reports.

Balance in hands of provincial treasurers December 16, 1901, the latest date to include which accounts have been rendered to this office.

Province.	Amount in treasury.	Amount of loans by insular government included in this balance.
Nueva Ecija	\$1,128.98	\$2,000.00

Balance in hands of provincial treasurers November 30, 1901, the latest date to include which accounts have been rendered to this office.

Province.	Amount in treasury.	Amount of loans by insular government included in this balance.
Antique	\$3,225.58	\$2,500.00
Cagayan	8,810.28	.....
Capiz	28,301.77	27,500.00
Cavite	4,838.89	2,500.00
Cebu	19,307.43	2,500.00
Misamis	3,116.43	2,500.00
Pangasinan	21,013.98	2,500.00
Romblon	2,745.43	.....
Total	91,362.77	40,000.00

In the foregoing statements the amounts due municipalities are deducted, only the amounts due the provinces being stated. In addition to the amounts given there are yet due to nearly all of the provinces refunds from the insular treasury on account of internal revenue and forestry collections made prior to the date of organization. These refunds are being made as rapidly as the respective amounts are ascertained.

Result of the elections of February 3, 1902, as reported to this office (executive secretary, Manila) by telegraph.

Province.	Governor elect.	Remarks.
Abra	Juan Villamor.....	Late secretary.
Albay	A. U. Betts	Reelected.
Amn. Camarines	James Ross	Do.
Antique	Leandro Fullon	Do.
Bataan		<i>Votes.</i> Jose Lerma 34 J. H. Goldman..... 20 Thomas del Rosario 15 Scattering 20 On account of no majority, there was no election. New election ordered for Feb. 26.
Bulacan	Pablo Tecson.....	Reelected.
Cagayan	Gracio Gonzaga	Do.
Capiz	S. Jugo Vidal.....	Do.
Cavite	Mariano Trias.....	Do.
Cebu	Juan Climaco	<i>Votes.</i>
Ilocos Norte		Elias Villanueva..... 70 Aguedo Agbayani 32 Julio Agcaoli 22 Irineo Javier..... 19 Scattering 9 On account of no majority, there was no election. New election ordered for Feb. 21.
Ilocos Sur	Mena Crisologo.....	Reelected.
Iloilo	Martin Delgado	Do.
Isabela	Francisco Dichoso.....	Late secretary.
Laguna	Joaquin Ortega.....	Reelected.
La Union	J. H. Grant.....	Do.
Marikina	Ricardo Paras.....	Do.
Maricao	Bonifacio Serrano.....	Do.
Marikina	Manuel Corrales	Do.
Marikina	Epifanio de los Santos.....	Late secretary.
Marikina	Demetrio Larena.....	Reelected.
Marikina	Leandro Lucsin	Do.
Pampanga		<i>Votes.</i> Monico Mercado..... 60 Ramon Valdes..... 57 Celerino Joven 12 Macario Arbedo 11 Scattering 13 On account of no majority there was no election. New election ordered for Feb. 26.
Pangasinan	Macario Fuvila.....	Late secretary.
Pangasinan	Ambrosio Flores.....	Reelected.
Pangasinan	Francisco Sanz.....	Do.
Pangasinan	Bernardino Montreal	Do.
Pangasinan	Prudencio Garcia	Do.
Pangasinan	Alfonso Ramos	First election not confirmed, as there was no majority. Second election was held Feb. 12.
Pangasinan	Capt. H. H. Bandholtz	Reelected.
Pangasinan	Potenciano Lesaca	Reelected.

TESTIMONY OF WILLIAM J. GIBBS.

(Sworn by the chairman.)

By the CHAIRMAN:

Q. You live in Springfield?—A. Yes, sir.

Q. The address of the summons was "Care of the Springfield Republican." Are you employed by that newspaper?—A. No, sir; I am employed by my uncle, 71 Main street.

Q. Why were you addressed care of the Springfield Republican?—A. That is what I do not know, I am sure; I don't know the reason. They knew my address at the company when I was in the Philippines, and how I happened to be addressed to the Republican I don't know.

Q. Did any of the persons connected with the Republican come to you about this?—A. Yes, sir; I am acquainted with the reporters there; they have been to my home a number of times.

Q. You have served in the Army?—A. Yes, sir.

Q. In what regiment?—A. Company C, Ninth Infantry.

Q. In the Regular Army?—A. Yes, sir; in the Regular Army.

Q. When were you discharged?—A. I was supposed to be discharged February 2 [referring to memorandum].

Q. Of this year?—A. Yes, sir.

Q. Did you receive an honorable discharge?—A. Yes, sir. [Referring to memorandum.] This is the 20th of March.

Q. You had served in the Philippine Islands?—A. Yes, sir.

Q. How long?—A. I served there about three years.

Q. Did you have service in Samar?—A. Yes, sir.

Q. Were you present at the massacre at Balangiga?—A. Yes, sir: I am one of the survivors.

Q. Well, the committee would be glad to hear any statement you have to make.

Senator BURROWS. Tell us the story in full, now.

The WITNESS. I have nothing to say in regard to the water cure: that is, I have never been an eyewitness to it, although I've seen the water carried in.

The CHAIRMAN. The committee would like to hear about the massacre.

Senator BURROWS. I thought you were going to speak of the massacre; that is what the chairman asked you about.

The WITNESS. When we first left Manila to go to Balangiga, Samar, the captain was somewhat afraid to go to this place in the nighttime, so he waited until morning. After landing, he called the officials together and told them he came there to establish peace and to keep out the surrounding bands of robbers.

Q. What was the captain's name?—A. Captain Connell. He told them he wanted them to be peaceable, and if they were not he was all ready and prepared to fight. Things went on in a way that was somewhat strange to a soldier; that is, the natives did not seem to associate with the soldiers the same as they did in the northern provinces, and the soldiers began to think there was something strange. Then the officer, Captain Connell, wanted to have things cleaned up around the town, and he went to work and issued a proclamation to have all of the natives appear the next morning and clean out the town. The natives appeared to be somewhat reluctant in regard to that. They

turned out, but they did not work very hard, and then the next morning they refused to come at all. So he went to work and sent the men, each man to a shack, and forced them to come out, and had a guard placed over the men while they were working in the hot sun. He had two Sibley tents, and confined at one time as much as ninety of the natives in two Sibley tents.

Senator BEVERIDGE. What cleaning up did they do?

The WITNESS. Cleaning up the underbrush and the rubbish from under the shacks—under their own shacks as well as ours.

By Senator DUBOIS:

Q. Did he go out and get natives indiscriminately?—A. Yes, sir.

Q. He went out and got everybody and made them go to work?—A. Yes, sir.

Senator BEVERIDGE. Nobody that did not live in the town?

The WITNESS. No, sir. They put the 90 natives in the two Sibley tents, which only held about 16 soldiers; they could not lie down; they had to stand up. There was not room enough to lie down. They stayed there for two or three days. In the morning Captain Connell would line the natives up and would issue them bolos for the purpose of cutting down the underbrush. That is what they used.

The CHAIRMAN. Is it a different bolo from the fighting bolo?

The WITNESS. A different bolo from the fighting bolo, yes, sir; but that morning they used the working bolo in place of the fighting bolo; in case of emergency they used that.

Senator BURROWS. You mean lining up those that were in the Sibley tents?

The WITNESS. Yes, sir; and the sergeant was the one that issued bolos to them by order of the company commander, and then all the men went to their breakfast. There was no order to take their arms any place they went, unless they went—

By Senator HALE:

Q. They were our men?—A. Yes, sir.

Q. The troops?—A. Yes, sir. The troops were not ordered to take their arms unless they went 400 yards from camp. So they went to breakfast that morning without their arms, every man. There was one man left behind, who was unable to get up from his bed.

Q. Tell me the strength of the American forces that landed there.—A. Seventy-two.

Q. Go on.—A. While the men were at breakfast, defenseless, those natives were lying in wait with their bolos, standing up right along side of us, 30 feet from us, waiting for us to get through our breakfast, so that they could be guarded by us at their work. Everything appeared to be all right, when all of a sudden the native chief of police, who was supposed to be managing the affairs of the natives, while at work, came over and started to pass some flattering remarks in regard to the food, and so forth, and all of a sudden he let out a yell, and when he did they spread out in all directions and cut the men down at the table and cut the guards down. Of course, I could not see exactly what was done. I was very close to my own quarters and I got up there just as quick as I could. I could just see things at a glance.

By the CHAIRMAN:

Q. Was there any apparent signal given to the natives?—A. No more than that yell. Some say that the bells were tolled, but I did not hear them; I did not hear anything but that yell.

Q. Did they attack all the quarters?—A. Yes, sir; all the quarters.

By Senator HALE:

Q. How many were there of the Filipinos?—A. There were about 75 that were in the Sibley tents, and the 90 that had been in the Sibley tents before had been let go. They were let go to their homes, and the chief of police the day previous brought those other 75 in, and they were put right in the Sibley tents. So in all there must have been about 150 right in the town of Balangiga, and on the outside there were more; how many more I don't know, but it seemed to me there were about 400.

Q. How many engaged in this attack that you describe at the breakfast?—A. They came from all sides, from the woods, from the Sibley tents, and from the shacks.

Q. Had all of these others, the 90 that had been sent off, been given these knives the same as the 75 that were lined up?—A. They all had them in their houses; they took them with them.

Q. You said the sergeant furnished them?—A. He did. There were so many in a shack, and he divided them among the natives.

Q. That had been done with the 90 before, as well as the 75 that morning?—A. Yes, sir; everybody was furnished with a bolo.

Senator BURROWS. To cut down this underbrush?

The WITNESS. Yes; and when the natives would go home they would take the bolos with them, because that was the only thing they had to use in gathering cocoanuts and to chop their wood and to work with.

By Senator HALE:

Q. Did you see any other weapon used on this raid besides the bolo?—A. After they had captured some of our guns, they had the guns; but, as a rule, we always locked our pieces, and they did not understand the gun very well.

Q. I mean did they have any other weapon except the bolos.—A. I didn't see any.

Senator BEVERIDGE. At the time they made this attack I understand that the men were eating breakfast and were away from their arms, and were defenseless?

The WITNESS. Yes, sir.

By Senator BURROWS:

Q. Were the whole number of 72 eating at that time?—A. Not 72; about 70, I think.

Q. Two were not?—A. About 70; two were not.

Q. Describe particularly what this assaulting force did, so far as you saw it.—A. What they did?

Q. You said they yelled. What did they do?—A. As soon as they yelled they spread from the ranks where they were standing.

Senator HALE. The 75?

The WITNESS. Yes, sir; and the rest.

By Senator BURROWS:

Q. When did the others appear?—A. They were on the side; they were bordering around the town.

Q. What did they do?—A. They caught the men that tried to run toward the shore to get boats and killed them.

Q. How many did they kill?—A. I don't know.

Q. How many did you see?—A. About seven.

Q. Did our people start for the boats?—A. A few of them did, and some were killed.

Q. And the balance?—A. The majority of the balance were killed on the table, and the rest were killed in trying to reach their quarters, which were 20 or 30 feet away from the table.

Q. How many were killed in all of the 72?—A. I can not tell exactly.

Q. I want to know what you know about it.—A. I don't know exactly just how many were. Some say 54.

Senator ALLISON. How many were left?

The WITNESS. I don't know even that, because the men went to the hospital, and I was discharged shortly afterwards.

By Senator HALE:

Q. How long did this whole scene last?—A. About twenty minutes before we started to bind the wounds.

Q. Was this whole scene during that twenty minutes under your observation?—A. Oh, no; I seen what I am telling you—yes, I seen all that.

Q. Did that run over twenty minutes?—A. Yes, sir.

Q. How did you get away?—A. I was sitting there close to my quarters. We had a little table among ourselves, mostly noncommissioned officers of the quarters we were in, and we had a kind of a little stove of our own, and at the time this happened, of course, we were the best away from the natives, and I happened to be on guard, and I ran up into our quarters quick and got a gun. I had my belt on, and as soon as I got the rifle, of course, I was pretty near safe then. But I was cut twice in doing so, before I reached the gun—going up the steps I was cut twice.

Senator RAWLINS. Where were you cut?

The WITNESS. In the cheek bone and in the ankle.

Q. You and other soldiers got into the quarters and there made a stand?—A. And there we made a stand; yes, sir. The shack was full of natives when we got in there, and they were hacking a couple of men up, and this Corporal Burke happened to get hold of a revolver, and he grabbed hold of one fellow and started to shoot him in the back, and as soon as they heard the firing they started to try to jump out the window. I caught another fellow and got a gun away from him, and I shot him, and I shot two or three more, and that fixed that shack; and then we got on the outside and started to shoot the natives as they were getting out of the orderly room.

Senator HALE. You say, "we." How many of you were there?

The WITNESS. About three of us—Private Clark, Corporal Burke, and myself.

By the CHAIRMAN:

Q. I will ask you if these figures correspond with your memory regarding report of Captain Bookmiller]:

Three officers and 29 men were killed at Balangiga; 1 hospital man and 5 men of company missing at Balangiga—undoubtedly killed and bodies consumed in barracks or carried out to sea; missing

en route to Basey, 2; killed en route to Basey, 3; died of wounds en route to Basey, 2; arrived at Basey or Tanauan, Leyte, 29, 22 of whom were wounded."

A. How many did you say were killed?

Q. Three officers and 29 men at Balangiga.—A. That is not right.

Senator BURROWS: What is right?

The WITNESS. I should say about 54.

The CHAIRMAN. I have not counted them all up. He gives 42 as the number killed, and 3 officers, making 45 in all.

Senator BURROWS. That is, some of them died from their wounds afterwards?

The CHAIRMAN. Yes; 3 officers and 42 men, and he says there arrived at Leyte 29 men, 22 of whom were wounded.

Senator HALE. What does he know about that?

By the CHAIRMAN:

Q. You arrived at Basey?—A. Yes, sir.

Q. And you were one of the wounded?—A. Yes, sir.

Q. Only 7 men escaped unhurt?—A. That is all; 7 men.

By Senator PATTERSON:

Q. When did you get to Balangiga?—A. We arrived there—I think it was July 13.

Q. And when did this occur?—A. September 28.

Q. So you were there a little over two months?—A. Yes, sir.

Q. About two months and a half?—A. About two months and a half.

By Senator BURROWS:

Q. Did you see any of your comrades killed?—A. Oh, yes, sir.

Q. I want you to describe how they were killed—how one of them or more that you saw were killed.—A. As I say, they made a dash upon the table, and they just threw their bolos around and severed the heads of our men from their bodies, right at the table.

Q. How many cases did you see where the heads were severed from the bodies at the table?

Senator HALE. Do you mean they cut off their heads and their heads rolled on the table?

The WITNESS. No, not rolled; but they were cut, and their heads hung down on the tables.

Senator BEVERIDGE. How many of such cases?

The WITNESS. I could not say.

By Senator BURROWS:

Q. Was there more than one such case?—A. Yes.

Q. How many?—A. I could not say.

By Senator HALE:

Q. Were most of them killed at the table?—A. A majority were killed.

Q. Why didn't they get away?—A. They couldn't get away. There was a board for a seat and they had to stick their legs under the table, and in order to get up, they had a little difficulty. They tried to get up, and in some cases you could see where they got their knees half way out, you could see where their knees were lodged.

Q. Did the force come up back of them?—A. They came back and

nt too. The natives that were lined up with their bolos in front of Sibley tents came from the front but the others came from the kitchen, right from the woods.

By Senator BEVERIDGE:

Q. These men were sitting on both sides of the table?—A. Yes, sir.

Q. So they would have to be attacked from the back?—A. Yes. The men sitting back could see them coming——

Q. But I mean to say that all blows had to be delivered from the front?—A. Yes; most blows were on the back and the neck.

By Senator PATTERSON:

Q. Is Balangiga a town or a village?—A. A village; yes, sir.

Q. About how many people were living there?—A. They say there were 2,000.

Q. How close was the camp pitched, your quarters, to the town?—A. Right in the town. We occupied the main building of the town, right in the center of the town, and the natives just surrounded us.

Q. Did the soldiers occupy the buildings, the main buildings?—A. They occupied the main building and three others.

Senator HALE. For quarters?

The WITNESS. For quarters, and the officers occupied the convent, part of the convent.

The CHAIRMAN. What officers were killed?

The WITNESS. Captain Connell and Lieutenant Bumpus and Major Swold, the surgeon.

By Senator PATTERSON:

Q. How many Sibley tents were there?—A. Two.

Q. When did Captain Connell commence this cleaning up of brush that you speak of?—A. Just as soon as he arrived there, or the next day.

Q. And when did he order out the first men, the first of the Filipinos?—A. He ordered them out the next day.

Q. And how many came the first day?—A. Well, about half; that is, perhaps, about fifty men. You see a great many of those men were so old they could not work. None were taken but the men who were able to work.

Q. There were about fifty men came out under the first order?—A. Yes, sir.

Q. And they did not appear to work very willingly?—A. No, sir.

Q. And then when did he send to their houses or shacks to get them in greater numbers; how soon after the first day?—A. Two days afterwards.

Q. And how many came out or were brought out at that time?—A. Everybody was brought out that was able to work, every man. There were about 90.

Q. Old men and young men?—A. Yes, sir.

Q. What ages were included, would you think, as to the youngest and oldest?—A. The youngest was perhaps about 13.

Q. And the oldest?—A. And the oldest was about 45.

Q. When they forced out these 90, how were they worked? You saw something about a soldier being over them and—— A. They had their bolos and they were placed on the line and had to cut down the

underbrush and different stuff, and they stayed there right in the heat of the sun, and they were confined in the Sibley tents.

Q. I will come to that in a moment; but during the day were there soldiers standing over them?—A. Yes, sir.

Q. How many?—A. There were about 12.

Q. That night were they put in these Sibley tents?—A. Yes, sir; they were put in the Sibley tents on the second—

Q. How long did that continue—that those 90 worked as you have described, in the daytime, and were put into these two Sibley tents at night?—A. About four days.

Senator ALLISON. That would be from the 14th of July until the 18th of July?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. You say the Sibley tents were large enough for about 16 men?—A. Yes, sir.

Q. But they had about 45 in each tent?—A. Yes, sir.

By Senator DIETRICH:

Q. Sixteen men for each tent?—A. The tents would only accommodate about 16 soldiers.

Q. In each tent?—A. In each tent; yes, sir.

Q. That would be 32 men in both tents?—A. Yes, sir; and about 90 natives were put in there.

Senator PATTERSON. About 45 natives in each tent?

The WITNESS. Yes, sir.

Senator HALE. What was the weather?

The WITNESS. The weather was damp, and of course it was the rainy season at that time and it was very unpleasant all right for the natives, and they started to complain about it. They even wanted a little matting to put on the inside of the tent, to keep them from the dampness from the ground, but he would not allow that at all.

By Senator PATTERSON:

Q. So that was about 45 men in the tent, and under those conditions?—A. Yes, sir.

Q. And that continued for about four days? Then what occurred?—A. Well—

By Senator BURROWS:

Q. May I ask a question right there? I understood you to say that they were compelled to stand up. Did you mean to say that?—A. No, sir; I meant to say they could not lie down. They had to stand on their haunches.

Q. They could not lie down flat?—A. No, sir.

By Senator PATTERSON:

Q. That is the way they passed the night?—A. Yes, sir.

Q. Then did an interval occur before there was more of that work done?—A. The men were allowed to go home after that and appear in the morning, and they did so, although they worked reluctantly all the while; but still he didn't put them in Sibley tents. He allowed them to go home, and they came and worked all day, and then they planned this massacre, I suppose. The chief of the police came to the captain and says—

Q. I haven't come to that yet.

Senator McCOMAS. I would like to hear the answer.

Senator HALE. Let the Senator conduct his own examination.

Senator BURROWS. He was going off onto something else.

By Senator PATTERSON:

Q. There is no trouble about getting it all, because I want it all. If you will permit me to proceed in my own way I will be perfectly fair.

Did they resume, after these four days you have spoken of, the putting of the men in the tents at night at any time before the massacre?—

A. Yes, sir.

Q. When?—A. They resumed it after the men had come from the mountains—the other men, the men that belonged to some other village.

Q. And that was about how long after the first four days that they were kept as you have described?—A. I can not exactly say, but it was about a week before the massacre that those men were confined, those prisoners from the mountains—they were supposed to be—were confined in the Sibley tents.

By Senator BEVERIDGE:

Q. The second time these people were confined in the Sibley tents was the men from the mountains?—A. Yes, sir; the men from the mountains.

Q. The men who had been relieved to go to their homes were not brought back to the Sibley tents?—A. No, sir.

By Senator PATTERSON:

Q. How many of these men about a week before the massacre were confined in the Sibley tents?—A. Seventy-five.

Q. For how many nights were they confined in the Sibley tents?—A. From that time, from about a week, up until the time of the massacre.

Q. Had they been confined in the Sibley tents the night before the morning of the massacre? A. Yes, sir.

Q. There were about 75, then, of these men from the mountains confined in the Sibley tents for a week before the massacre occurred?—A. Yes, sir; I should say a week.

Q. Were they compelled to sleep and pass the night in the same way that the others had been compelled to? A. Yes; just the same.

Q. What was the character of the weather then? A. It was the rainy season all the time and it rained more or less during the day.

Q. What accommodations were given to the men in the tents at night? A. The accommodations that was given to them were just the same as the ones that belonged to the town had had.

Q. I mean was there any matting given them? A. No matting at all.

Q. (Continuing.) To protect them from the wet ground or anything of that kind? A. No, sir.

Senator HALE. Was it an ordinary Sibley tent? A. The ordinary Sibley tent; yes, sir.

By Senator PATTERSON:

Q. Of what age were these 75 men that you speak of? A. I guess they ranged about the same.

Q. Now, had bolos been given to the first 90? A. Yes, sir.

Q. They had taken those bolos to their homes?—A. Yes, sir.

Q. And additional bolos were given to these latter 75 men?—A. What was left, yes, sir, were given to the 75; they were all supplied.

Q. Did these men complain of their treatment?—A. Yes, sir.

Q. Did their complaint do any good?—A. They would only make complaints to the soldiers; they were afraid to make them to the officers.

Q. And the soldiers could not relieve them?—A. Some would sympathize with them and others just the opposite.

Q. How far was the place at which you went to breakfast from the buildings where the soldiers were quartered?—A. Some places were 30 feet and others 20 feet—that many yards, I should say.

Q. So the permanent quarters and your meal house, where you took your meals, were approximately together?—A. Yes, sir.

Q. Twenty-five or thirty feet apart?—A. Yes, sir.

Q. Were you one of the two men left on guard?—A. I was one of the men left on guard; yes, sir.

Q. And all of the company but the two men on guard were engaged in taking breakfast?—A. Yes, sir.

Q. Now, the 75 men who were engaged in doing this work were in ranks, you say?—A. In ranks; yes, sir.

Q. How did they come to be in ranks?—A. They were lined up just the same as the men would line up in the morning, just as the soldiers would line up in the morning.

Q. These were brought from the tents?—A. Brought from the tents and took their places in ranks, the same as soldiers.

Q. Were they engaged in doing anything at the time they were thus lined up in ranks?—A. No, sir; they just finished their breakfast. Their breakfast was brought to them by the natives of the town.

Q. The natives in the town brought their breakfast to them?—A. Yes, sir.

Q. Is that the way they had been fed right along?—A. All the while; yes sir. We didn't give them anything.

By Senator HALE:

Q. Were they drawn up preparatory to going to work?—A. In ranks?

Q. Yes.—A. Yes, sir.

By Senator PATTERSON:

Q. Who was it came to the table where the men were at breakfast?—A. The native chief of police.

Q. He was the chief of police of Balangiga? A. Yes, sir; the chief of police of Balangiga.

Senator ALLISON. And had no relation to us?

The WITNESS. No, sir; only he would help out a little in getting the men together.

By Senator PATTERSON:

Q. So he came in and passed some pleasant words, as it appeared to the men at breakfast, and then gave this yell, and this onslaught was made?—A. Yes, sir.

Q. Is it your idea that the plan to kill the soldiers was made about the time they commenced the imprisonment of these last men?—A. Yes, sir.

Q. Or the use of them, I will not call it imprisonment. What was

character of the work that these Filipinos were doing?—A. Clean-up the underbrush and rubbish around the town.

Senator HALE. Describe that a little more fully.

The WITNESS. To give it a semblance of civilization. That is what we were supposed to do. They were supposed to cut down all the trees and underbrush and everything around there that would be an obstruction to seeing things at night on post.

By Senator BEVERIDGE:

Q. The underbrush was cut down for the purpose of preventing a hostile person being concealed there?—A. That is one of the reasons; yes, sir; and the other reason was to have the town in a healthy state.

Q. They cut that underbrush down so that it could not conceal anybody?—A. Yes, sir.

The CHAIRMAN. And the other reason was for purposes of sanitation?

The WITNESS. Yes, sir.

Senator PATTERSON. It was a twofold purpose.

Senator BEVERIDGE. Sanitation and safety.

The WITNESS. Yes, sir.

By Senator HALE:

Q. Were there roads and streets?—A. Yes, sir.

Q. And this underbrush was between the roads and streets?—A. Yes, sir; and around the houses.

Senator PATTERSON. In other words, the land was pretty nearly in a primitive condition in this little village or town?

The WITNESS. Yes, sir.

Senator HALE. And this work was clearing it off?

The WITNESS. Yes, sir.

By Senator DIETRICH:

Q. And there was a great deal of filth in this underbrush, I suppose?—A. Yes, sir.

Q. And that made it dangerous to the health of the soldiers?—A. Yes, sir.

By Senator PATTERSON:

Q. What length of time were they required to work?—A. From 7 o'clock in the morning until 5 o'clock at night.

Q. When noontime came, how did they get their noonday meal?—A. They would be brought in under guard to the Sibley tents, and they would line up in ranks there and the women would bring them food.

Q. And at night would they be marched under guard to the Sibley tents?—A. Yes, sir.

Q. And then were they guarded while they were in the Sibley tents?—A. Yes, sir.

Q. By armed soldiers?—A. Yes, sir.

Senator HALE. Did women bring them their suppers?

The WITNESS. Yes; they brought them the three meals each day.

By Senator PATTERSON:

Q. Had any American troops occupied this town before?—A. No, sir.

Q. You say that when they first went to a town that Captain Connelley notified them that they came there for peaceful purposes, but if they were not peaceable then they were ready to fight?—A. Yes, sir.

Q. But the day after the company got there this treatment of the men of the village commenced?—A. Of the natives; yes, sir.

Q. And the Filipinos, commencing with the men in that way, did not seem to be friendly?—A. No, sir.

Q. Had you any opportunity before this method of treatment had been commenced to discover whether they would be friendly or not?—

A. Well, they did not appear to be friendly from the very first time we landed there until we were massacred.

Q. That is, they did not seem to like you?—A. No, sir.

Q. They did not seem to like American soldiers?—A. No, sir.

Q. Was there any act of violence or of enmity, say for the first week?—A. Yes, sir.

Q. Tell us what that was?—A. Just about a week, I can not say whether it was a week or not, but I think it was about a week before that happened, there was one man missing out of the company who was charged with raping an old native woman.

Q. One of your men was charged with raping a native woman?—A. Yes, sir.

Q. How do you know?—A. She came and made a complaint that very night, and we started to look for the man, and he could not be found, and he has not been found yet.

Senator BURROWS. You do not know what became of him?

The WITNESS. They simply found his shoes near the shore.

Senator BEVERIDGE. How old was this woman?

The WITNESS. I should judge about 65.

Senator BURROWS. You know nothing about it except from her story?

The WITNESS. That is all.

The CHAIRMAN. And the soldier disappeared?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. And his disappearance was simultaneous with the charge being made by this woman?—A. Yes, sir.

Q. That was the excuse for his disappearance?—A. Yes, sir.

By Senator PATTERSON:

Q. Whom did she make the complaint to?—A. To the commanding officer first, and he went around to find the man, and he could not be found, and they suspected something themselves, that it was just a put-up game.

Q. Did this woman appear to know the particular soldier that she said was guilty?—A. Yes; she described him.

Q. She described a soldier?—A. She described him fully.

Q. And that man could not be found?—A. He could not be found.

Q. Do you recall now when she said it had occurred?—A. About five days, I think, before the massacre.

By Senator McCOMAS:

Q. How long did you say it occurred before she made a report of it?—A. She claimed it occurred just about three hours before.

Q. Before she complained?—A. Before she complained.

Q. And how long before had this soldier disappeared?—A. As soon as she made the complaint we started to look for the soldier, and he could not be found.

Q. What did she say had become of the soldier in her statement?—
A. She said he came in the shack, and knocked her down, and raped her, and then ran away.

Q. Did she not say she knew what became of him?—A. No, sir. She said he came to the shack—

The CHAIRMAN. Did you see him?

The WITNESS. I saw the woman.

By Senator McCOMAS:

Q. Did she say what the native said had become of the soldier?—A. No, she did not say that. In fact, there were a number of natives up there looking for him, and nobody seemed to know where he went to.

Q. And where were his shoes found?—A. His shoes were found down near the water somewhere, where you go across to the other side—perhaps about 30 feet to the other side. His shoes were on one side—

Q. When were they found?—A. The next morning.

Q. Did you have from the natives any other account of this soldier's disappearance?—A. No account was given after that at all. We sent out parties to look for him, but we could never get any track of him.

Q. Had you known this soldier?—A. Yes, sir.

Q. What was his character?—A. He was a good soldier, and I do not think he would do anything of that kind, because he was in sympathy always with the natives; only he would watch them and he would not allow them to do anything that was contrary—

Q. He was a soldier of good repute?—A. Yes, sir.

Q. Of good character?—A. Yes, sir.

Q. Was he a sober man?—A. No, sir; he drank.

Senator BURROWS. Was her story believed?

The WITNESS. No, sir; it was not believed. Captain Connell and one of the officers believed it. They simply meant to keep a close watch on the natives.

By Senator McCOMAS:

Q. Did you believe it?—A. No, sir; nobody did.

Q. You base that on your knowledge of the man?—A. Yes, sir.

By Senator DIETRICH:

Q. You saw the woman?—A. Yes, sir.

Q. Did she have any evidence of having been struck hard?—A. No, sir; she did not look as though she was bruised or had been molested at all.

Q. You saw no evidence of the kind whatever?—A. No, sir.

Q. What are the morals of those people generally in the island of Samar, the women and young girls?—A. The morals of the natives in Balangiga we do not know much about. There were some men who tried to make improper advances by speaking to them and that sort of stuff, but the natives would have nothing to do with them at all; they would simply chase them out, tell them to go on, or something like that.

Senator McCOMAS. If I understood you, the belief of the officers and soldiers on your side was that this was not a case of a guilty man, but that it was a way of accounting for his absence which was not accepted to be true?

The WITNESS. Yes, sir; that is correct.

Senator PATTERSON. Was there any examination made of this woman?

The WITNESS. No, sir.

Senator McCOMAS. You mean by a surgeon?

Senator PATTERSON. Yes; any examination.

The WITNESS. No; no examination whatever.

Senator PATTERSON. You saw no evidence on her exterior person, her face or head, of her having been maltreated?

The WITNESS. No, sir.

Q. Do you know of any reason at that time why this man should be selected for being made away with?—A. Because he was not liked very well by the natives. He simply did his duty, and some of the men would allow them a little more than others. This was one of the men who would not do that. When he went into the house to drive them out he would drive them out; he would not punch them or anything like that, but he would send them out and see that they got out on time.

Q. You spoke of him being addicted to drink. Give us some idea of that.—A. He used to drink this native drink.

Q. Vino?—A. There was no vino there. He drank this stuff called tuba. It is made from cocoanut water, and a man has to drink an awful lot of that before he becomes intoxicated.

Q. You say you never saw the water torture?—A. No, sir; I never have.

The CHAIRMAN. One moment before we leave this matter of the massacre.

By the CHAIRMAN:

Q. You stated they were not friendly to you at any time?—A. Yes, sir.

Q. You were entirely off your guard when this thing occurred?—A. Yes, sir; I was.

Q. I mean the company.—A. Of course there were men that were on post.

Q. Yes; but I mean you did not suspect anything; you were all occupied?—A. We did not exactly expect anything; of course we have often said to ourselves that some time or other the natives would make a break on us.

Q. You did think it possible that they might attack you?—A. Yes, sir.

Q. But there was nothing to indicate an attack?—A. No, sir.

Q. They had not seemed less friendly than usual?—A. No, sir.

Q. Did you hear of any mutilations of the bodies or see any after the massacre?—A. I did not see any. I was wounded at the time and I was in the hospital, but I heard of men that went from Balingiga to Basay and back again —

Q. The burying party?—A. The burying party; yes, sir.

Q. Did you talk to any of the burying party?—A. Yes, sir.

Q. What did they say as to the condition of the bodies?—A. They said that Lieutenant Bumpus, that they dug his eye sockets out and put burnt paper over it, and he was cut in here [indicating], and they opened his face, and there was a lot of commissaries lying around, and jam and different stuff, and they put jam in there [indicating] and tied his head down, squeezed it in here with jam this way [indicating], and they put toy flags in the sockets of his eyes, and all kinds of things almost indescribable. They threw some of the men in the well and cut their fingers off and different parts of the body.

Senator McCOMAS. Did they mutilate their private parts?

The WITNESS. Yes; that is what I refer to.

Senator BURROWS. When did American soldiers in any number at all return to the seat of the massacre?

The WITNESS. The next day.

By Senator HALE:

Q. How far were you from any detachment?—A. About 37 miles.

Q. What was the place where you were—Basay?—A. Yes, sir.

Q. Is that the nearest post?—A. Yes, sir.

Q. How many soldiers there?—A. A company of soldiers; G Company, Ninth Infantry; perhaps about 85 men.

Q. On shore?—A. Yes, sir.

By Senator BEVERIDGE:

Q. The men who belonged in the town were first confined in the Sibley tent and after three or four days were released, and they went out to their homes at night and were allowed to retain their bolos?—A. Yes, sir.

Q. The native chief of police had charge of them in addition to our own officers?—A. Had charge of the men that came from the mountains?

Q. No; I have not come to them yet. The town men that were kept in the Sibley tents, the native chief of police?—A. Yes, sir.

Q. How did it happen that these men came from the mountains?—A. The chief of police went to the commanding officer and suggested to him that it would be a good thing.

Q. The native police?—A. Yes, sir; that it would be a good thing to have the men come in from the mountains to do the work quicker, for they expected the inspector-general there.

Q. So the chief of police got these men from the mountains?—A. Yes, sir.

Q. The chief of police brought the men from the mountains in?—Yes; he went out and brought them in.

Q. And they were not driven in by soldiers or anything like that?—A. No, sir.

Q. So the fact that they were in tents and confined to the Sibley tents was their own act in connection with the chief of police?—A. Yes, sir.

Q. In that way the number of natives on the ground was practically doubled, was it not?—A. Yes, sir.

Q. These men, then, on the advice of the chief of police, were also furnished with bolos?—A. Yes, sir.

Q. After the massacre occurred it was the understanding of you men that were left that this bringing in of men from the mountains by the chief of police, and the whole thing leading up to this massacre, was a prearranged plan for that?—A. Yes, sir.

Q. And this disappearance of this soldier and this alleged rape upon a woman 65 years of age was an excuse for what occurred afterwards?—A. Yes, sir.

Q. Now, then, about the confining in the Sibley tents of these men from the mountains that came in of their own accord with the chief of police and were voluntarily confined there, I believe you said that room was so confined that they could not lie down, but had to squat on their haunches?—A. Yes, sir.

Q. You have been in the islands a great deal. I will ask you to state to the committee what the fact is as to the habitual attitude of Filipino men and women when at rest during the day as to squatting on their haunches?—A. I know in their own houses they simply lie down on the floor and have some light covering over them.

Q. You have observed, have you not, as to whether the people habitually assume a squatting position such as I have described?—A. Yes, sir; that is observed by most every soldier.

Q. That they squat on their haunches?—A. Yes, sir.

Q. That is about the first thing you do observe when you go to the Philippines?—A. Yes, sir.

Q. What is the truth about these people squatting on their haunches talking to each other for hours at a time?—A. Why do they do that?

Q. No; do they do it?—A. Yes, they do.

Q. Playing or watching a cockfight or anything else?—A. That is their restful position, yes.

Senator HALE. Do they sleep in that position?

The WITNESS. No, but they can go to sleep that way.

Senator BEVERIDGE. I am talking about what is their customary attitude.

Senator DIETRICH. And they do sleep that way sometimes?

The WITNESS. For a short rest, sometimes.

Senator HALE. I was asking whether it applied to the night as well as the day.

The WITNESS. No; they do not sleep that way at night.

By Senator ALLISON:

Q. You arrived at this place on the 13th of July?—A. Yes, I think it was the 13th of July.

Q. From whence?—A. From Manila.

Q. By a ship?—A. Yes, sir.

Q. Ordered to this point?—A. Yes, sir.

Q. Did you have any knowledge of why you were ordered to this particular spot?—A. No, sir.

Q. Was it supposed to be in a condition of insurrection or was it supposed to be one of the pacified provinces?—A. It was not known in my estimation.

Q. It was a mere order of occupation?—A. Yes, sir.

Q. So you landed on this shore. How far is the town, so called, from the sea or water?—A. The houses are right on the shore; they start right from the shore.

Q. You said it was reputed that there were 2,000 people there?—A. Yes, sir.

Q. Do you think there were that number?—A. Yes, sir; I think so.

Q. What was the nature of construction; what sort of houses?—A. Shacks, those nipa shacks.

Q. How many houses were there?—A. I could not say; but perhaps there were a couple of hundred—200.

Q. And they were occupied by men, women, and children?—A. Yes, sir.

Q. In what proportions, probably?—A. About seven or eight.

Q. Seven or eight in a house?—A. Yes, sir.

Q. That would make a population of 1,400.—A. Yes, sir; maybe about 1,400; it was estimated at 2,000.

Q. And what were these people doing, what was their occupation?—
They just simply made a living; that is all. They chopped down coconuts, and that is about all. They were very different from the other people in the northern provinces; they did not do any work at all.

Q. They did no work?—A. None at all.

Q. Did they live on coconuts?—A. Chiefly.

Senator DIETRICH. And fish?

The WITNESS. And fish.

Senator ALLISON. They found fish in the water?

The WITNESS. Yes, sir.

Senator PATTERSON. Was there any land cultivated in that locality?

The WITNESS. No, sir.

By Senator ALLISON:

Q. There was no cultivated land in that locality?—A. No, sir; very little.

Q. Was that a trading place, where ships came in or small boats came in?—A. No, sir.

Senator McCOMAS. There were no white residents there?

The WITNESS. No, sir.

By the CHAIRMAN:

Q. You speak of these boys of 13. How do they compare with boys 13 here, in point of physical development?—A. They are well built and just as well able to work.

Q. As a man?—A. As a boy of 13 here.

Q. Are they more developed physically?—A. Yes; not as tall or as large, however.

Q. I do not mean in regard to strength; but I mean their physical development.—A. Yes, sir.

By Senator ALLISON:

Q. So these people had no occupation except the finding of the food they ate, either fish or coconuts?—A. That is all, sir.

Q. What number do you suppose were in that town? You gave the ages of 13 and 45—between 13 and 45 years of age.

Senator PATTERSON. Do you mean men?

Senator ALLISON. I mean men.

A. I do not know, I am sure. We gathered up about fifty of them.

By Senator ALLISON:

Q. That is, 50 of them to begin with?—A. Yes, sir.

Q. You mean to do this work?—A. Yes, sir; and then 90 of them afterwards. Of course if their wives were sick they would leave the men or the children at home to go out and get the food for them.

Q. Well, all these people that you are speaking of now were in this town within a narrow radius?—A. Yes, sir.

Q. That is to say, there were no what we would call outlying country places?—A. Yes, sir; there was an outlying country, but it was not thickly populated at all, just a few houses scattered here and there.

Q. And the people there were doing the same thing that the people in the towns were doing—living on fish and coconuts?—A. Yes, sir.

Q. Were they doing anything for a living?—A. They were doing nothing that I know of.

Q. In other words, these people were apparently idle at this time?—

A. Yes, sir.

Q. What sort of a man was Captain Connell?—A. He did not seem to treat them right in one respect. While the natives were cleaning up the town he sent out men from the company to destroy all the rice and fish and everything in the line of food that they possibly could. He thought they were taking them to the insurrectos in the mountains.

Q. There was rice there?—A. In some places there was rice; yes, sir.

Q. In this town?—A. On the outside of the town, not in the interior.

Q. In what you call the shacks outside?—A. Yes, in the shacks on the outside.

Q. How was that rice deposited; how was it stored?—A. It was stored in about the same way as we store hay in the barn.

Q. In compact form?—A. Yes, sir.

Senator PATTERSON. Was it in the straw, or was it thrashed?

The WITNESS. Thrashed out.

Senator BEVERIDGE. Ready for eating?

The WITNESS. Ready to be pounded; it has to be pounded first to knock the shell off.

By Senator ALLISON:

Q. Was it there in considerable quantity?—A. Yes, sir; perhaps about 15 or 20 bushels in some places.

Q. And 15 or 20 bushels in another place?—A. Yes, sir.

Q. Was it grown there?—A. Yes, sir.

Q. Grown in that neighborhood?—A. Yes, sir.

Q. Did the inhabitants eat this rice, as well as the other food, or were they not rice-eating people?—A. They would eat rice occasionally.

Q. But not generally?—A. No, sir.

Q. Was Captain Connell a close disciplinarian?—A. Yes, sir.

Q. Now, did there seem to be a relative number of men there to the women and children, or were there fewer?—A. There were more women.

Q. You say that he had some idea that these people were supplying food to what we call the insurrectos?—A. Yes, sir.

Q. And therefore he took what he considered precautions to prevent this food from being taken away?—A. Yes, sir.

Q. Of the number that were there about fifty started in to work?—A. Yes, sir.

Q. And worked reluctantly, very naturally?—A. Yes, sir.

Q. Then afterwards the number was increased to 90?—A. Ninety; yes, sir.

Q. What was the size of this Sibley tent?—A. A large-sized Sibley tent, that will accommodate about fifteen men.

Q. Fifteen men each, in cots?—A. Oh, no; not in cots. It will not accommodate over five men in cots.

Q. But in the field they would accommodate about fifteen?—A. Yes; lying down without any cots.

Q. When in point of time did this native policeman go into the mountains to find people to take the place of these people in the towns?—A. About a week before the massacre.

Q. Was this native chief of police supposed to be friendly to us?—A. He was supposed to be; yes, he was thought to be.

Q. He acted in that way?—A. Yes, sir.

Q. So at night he was put in charge of these people?—A. Not at night; no, only in the day. At night he would go to his own home or any place he wanted to go.

Q. He was a native Filipino?—A. Yes, sir.

Q. What sort of people were these mountain people that came in?—A. Very muscular people, and they were burly looking and had on nothing but jock straps, just short pants; they were not dressed like the other Filipinos, and they had a more ferocious look about them.

Q. And how many came in?—A. About 75.

Senator BEVERIDGE. Except for the jock straps they were naked?

The WITNESS. Yes, sir.

By Senator ALLISON:

Q. They were a strong, athletic people?—A. Yes, sir.

Q. Do you know anything about how this chief of police went out; how long he was gone?—A. He was gone for two days; I think it was two days. It was a day and a half, anyway.

Q. How did these men work when they came in?—A. They worked well.

Q. They worked well and seemed to be very well contented?—A. Very well contented.

Q. And you concluded afterwards, did you, that that was a prearranged plan?—A. Yes, sir; afterwards.

Q. Of course, you were taken to a hospital?—A. At Basey; yes, sir.

Q. And did not return?—A. I did not return the next day; no, sir.

By the CHAIRMAN:

Q. Did any of these boys that you speak of take part in the attack?—A. Take part in the attack?

Q. Yes; did these boys attack with bolos?—A. That I could not say. Of course, there were some pretty young fellows that were lying round there dead, so I expect they did.

By Senator ALLISON:

Q. As I understand it, the 75 men from the mountains were drawn up in line after having their breakfast, just before this massacre occurred; they were the 75 men that were about the tables?—A. Yes, sir.

Q. In the vicinity of the tables?—A. In the neighborhood of the tables; yes.

Q. They occupied, as it were, the front line of this affair?—A. Yes, sir.

Q. And they were the people that made the first attack?—A. Yes, sir.

Q. Now, I understood you to say that the moment this chief of police gave this yell that you regarded as a signal these people that were immediately about attacked, and then others came in from the woods?—A. Yes, sir; Captain Connell's place was perhaps 30 yards or more from the Sibley tents, and how they were attacked there, of course, I don't know.

Q. But I am speaking about the soldiers that were around the table. —A. Yes, sir.

Q. Then the moment this attack was made other people came in?—A. Yes, sir.

Q. Until they reached the number of 400 in all?—A. Yes, sir.

By Senator BURROWS:

Q. Where were our dead buried?—A. They were buried right in Balangiga.

Q. How many?—A. I could not state just how many were buried.

Q. But they were all buried there?—A. No, they were not all buried there; 2 or 3 were buried in Basey.

Q. Now, I want to ask you how many of the natives were killed?—

A. It was estimated about 150, but I don't know of my own knowledge.

Q. You don't know that of your own knowledge?—A. No, sir.

By Senator PATTERSON:

Q. You say that when you put the men out to do the work you had about 12 soldiers guarding them?—A. Yes, sir.

Q. What had the chief of police to do with the men if you had soldiers guarding them?—A. Just as helpers.

Thereupon, at 12 o'clock, the committee adjourned until to-morrow, Saturday, May 10, 1902, at 10.20 o'clock a. m.

WASHINGTON, D. C., *Saturday, May 10, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman, and Senators Allison, Proctor, Hale, Beveridge, Burrows, and Patterson.

(Before proceeding with the taking of further testimony a short executive session was held.)

TESTIMONY OF WILLIAM J. GIBBS—Concluded.

By Senator PATTERSON:

Q. You spoke yesterday about the native chief of police going out to the mountains and bringing in these men—75 of them—who were worked and confined, as you have described, immediately prior to the massacre. What was the occasion, if you know, for that—how did it come about?—A. That he should bring in these men?

Q. Yes.—A. He was sent by Captain Connell.

Q. Do you know why, was there any reason for it, any emergency?—A. Yes, sir.

Q. What was that?—A. The emergency was to clear up the town quickly in order to have it ready for the inspector, General Smith.

Q. And was it on a suggestion by Captain Connell that Inspector-General Smith was coming and he wanted the work done and the town cleaned up quickly, that these additional men were brought in?—A. Yes, sir.

Senator BEVERIDGE. These men from the mountains?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. Do you know how soon or how early it was said or expected that the inspector-general would come?—A. No, sir.

Q. After the first ninety men were kept and worked, as you described, for four days, did they, nevertheless, continue requiring those men to work all the time following their release from the Sibley tents; that is, every day thereafter?—A. They were required to work every day.

Q. So that the work of clearing up the town in the immediate locality continued consecutively from the time you went there in July until the massacre occurred in September?—A. Yes, sir.

Q. That is correct, is it?—A. Yes, sir.

Q. You spoke of the reported mutilation of Lieutenant Bumpus. What did you hear of the mutilation of other soldiers or officers besides Lieutenant Bumpus?—A. My comrades told me that men were thrown in the well, while others had different parts of their bodies cut off.

Q. Do you know what number were mutilated, or about what number?—A. No, sir.

Q. I notice that this statement appears to have been made yesterday [adding from testimony]:

“The chief of police brought the men from the mountains?—A. Yes; he went and brought them in.

“And they were not driven in by soldiers or anything like that?—A. No, sir.

“So the fact that they were in tents and confined to the Sibley tents was their act in connection with the chief of police?

Did you mean to say that when they came in they desired or sought to be confined in the tents that way?—A. Of course, they were requested to go in, but they did not refuse to go in.

Q. When you say requested——A. Requested by the captain to go into the tents, and they did not refuse to go in—they went in willingly.

Q. Was it in the nature of a request or an order?—A. An order.

Q. You said yesterday that you had not seen the water cure administered, but you had seen the water brought in.—A. Yes, sir.

Q. What did you know that indicated that the water cure was being administered to soldiers?

Senator BEVERIDGE. Do you speak of the water cure in Samar?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. What did you know that made you come to the conclusion that the water cure was being administered to the Filipinos?—A. I have seen the men brought down to the place where I knew it was going to be administered.

By the CHAIRMAN:

Q. Was this at Balangiga?—A. No, sir; at Cathalogan.

Q. Before you went to Balangiga?—A. No; after the massacre.

By Senator PATTERSON:

Q. Go ahead.—A. Some of my comrades and myself have tried to look in the windows and see what was going on. We could hear a great many things.

Q. What did you hear?—A. We heard moans from the men which seemed to be getting the water cure, and then we could see a kind of sickly expression on a man's face after coming out.

Q. Did you see them carrying in water?—A. Yes, sir.

Q. Before you heard the moans and before they came out?—A. Yes, sir.

Q. What do you know of the results?—A. One man died in Cathalogan.

Q. Who was that?—A. I don't know.

Q. How do you know he died?—A. I was on guard and heard he died. I was on guard the next day and heard he died the day afterwards.

By Senator BEVERIDGE:

Q. Who told you?—A. Some of the members——

Q. Can you name the man?—A. No, sir.

Senator BEVERIDGE. Then that testimony is incompetent. That has been ruled upon by the Chairman, that hearsay testimony is proper with reference to two things; first, specific instances where the man can name his authority, and, second, testimony as to general rumor; but it has been ruled by the Chairman that it is not proper to give hearsay testimony in a case like this, and I move that the questions and answers go out.

Senator PATTERSON. You may state——

Senator BEVERIDGE. Let us have a ruling upon this.

The CHAIRMAN. Where the witness states hearsay testimony he has got to give the names, or he can state a general report.

Senator BEVERIDGE. Yes; but as to the testimony elicited by the last two questions, I make objection and move that it be stricken out. We must have a uniform rule as to that.

Senator PATTERSON. I think it is proper testimony in this connection.

The CHAIRMAN. I think it is only a question of framing the question differently.

Senator BEVERIDGE. I move that the last two questions and answers be stricken out of the record.

The CHAIRMAN. Well, we will let that motion stand.

By Senator PATTERSON:

Q. Was it generally reported in your company that this man had died?—A. It was generally reported among the soldiers.

Q. Did you see the man which the report related to?—A. No, sir; but I saw his funeral.

Q. And it was generally understood that he died as the result of the water cure?—A. Yes, sir.

Q. How frequently did you see evidences of the administration of the water cure such as you have described, the carrying in of water and things of that kind?—A. Three times.

Q. Was it commonly reported or understood that the administration of the water cure was usual or common?—A. Yes, sir.

Q. Did you see any other form of torture inflicted?—A. No, sir.

Q. Was there any general report among the soldiers of any other form of punishment or torture, or efforts being made to induce confession or secure information?—A. No, sir.

By the CHAIRMAN:

Q. Who were the soldiers engaged in these cases of water cure that you believe were administered?—A. Usually the interpreters and the American scouts.

Q. Who were the American scouts?—A. Men that had been discharged from the service and reenlisted as American scouts.

Q. Were they regulars?—A. No, sir. They were regulars previous to their being scouts, or some of them were.

Q. Were some of them volunteers?—A. I believe so.

Q. Were any of the men in your regiment engaged in it?—A. I could not say.

By Senator PATTERSON:

Q. Were those men brought in to where your regiment was by these
outs?—A. Well, in Catbalogan I did not see any scouts. What I
saw there was the interpreter, who was supposed to be the one admin-
istering the water cure—

Q. This was right with in the lines, was it, where the officers and
soldiers were?—A. This place in Catbalogan was right in the officers'
quarters, in the rear of the officers' quarters.

Q. What was the character of the water they used for this purpose,
and where did they get it?—A. Dirty water was preferable to the
cleanest water.

Q. What do you mean by that?—A. They would go to the shore
and take a tin pan and dish up sand with water, with the salt water,
and if that could not be found they would get something else that was
dirty.

By Senator BEVERIDGE:

Q. They could always get sea water?—A. Yes, sir; they could
always get sea water.

By Senator PATTERSON:

Q. Did you hear the question discussed or talked about as to why
they used any particular kind of water?—A. Simply to inflict a more
severe punishment upon them. That was the reason they got the
dirty water.

Q. And why they mixed sand with the water?—A. Yes, sir.

Q. Speaking of this woman who was assaulted, some statement was
made—

The CHAIRMAN. Was alleged to have been assaulted.

Q. (Continuing). Who said she was assaulted, something was said
about lack of chastity among the women there. What, if anything, do
you know of the chastity of the Filipino women, as you saw them?—
A. Filipino women are very virtuous.

Q. How do you gather that, from general information or what?—
A. General information and also what I have seen myself.

Q. Is there prostitution among them?—A. Yes, sir.

Q. Have you any knowledge as to how the chastity of the Filipino
women, from your observation, knowledge, and conversation, compares
with American towns and localities?—A. I think the Filipino women
in the towns of the Philippines are more pure than they are in towns
in the United States of the same population.

Q. Why do you say that?—A. Because they appear to be that way
even in the small towns.

By Senator BEVERIDGE:

Q. Do you speak from your experience, both with reference to
America and the Philippine Islands?—A. Yes, exactly.

Q. The chief of police, you said yesterday, brought in these men
from the mountains?—A. Yes, sir.

Q. And the chief of police afterwards turned out to be the leader of
a conspiracy to massacre your soldiers?—A. Yes, sir.

Q. In answer to questions by Senator Patterson you said they were
not for?—A. Yes, sir.

Q. No compulsion was used to bring them in?—A. No, sir.

Q. So far as force was concerned they came voluntarily?—A.
On request.

Q. So far as force is concerned they came voluntarily?—A. Yes, sir.

Q. And by request of the chief of police as far as any personal request was made to them?—A. Yes, sir.

Q. No American officer or soldier went out to get them?—A. No, sir.

Q. Either to request them or force them?—A. No, sir.

Q. They came down without force and without request from an American officer or soldier?—A. Yes, sir.

Q. And you infer the request from the fact that the chief of police went out to get them and brought them in?—A. Yes, sir.

Q. You did not hear what the chief of police said to them out in the mountains?—A. No, sir.

Q. Afterwards it developed that they were the murdering party, and the chief of police was their leader?—A. Yes, sir.

Q. After this massacre of the soldiers down there you testify as to the application of the water cure at Cathalogan?—A. Yes, sir.

Q. Which you did not observe yourself, but the results of which you saw?—A. Yes, sir.

Q. You said when they came out they would have a kind of sickly look about their faces?—A. Yes, sir.

Q. Did they look as though they had been sick at the stomach?—A. Perhaps so.

Q. As a matter of fact, that is the effect of the application of the water cure, is it not?—A. Yes, sir.

Q. The men were able to walk away were they?—A. I have never seen them walk away very briskly.

Q. Were they able to walk?—A. Yes, sir.

Q. The shading you can put on afterwards. And if a man is sick at the stomach it is not necessary to say, I suppose, that he usually looks a little sickly?—A. Yes, sir.

Q. Do you know the man personally that brought about the death of this man?—A. No, sir.

Q. None of the rest of the men that you observed having had the water cure looked as though they were going to die from it?—A. No, sir.

Q. How long were you in the islands, Sergeant?—A. About three years.

Q. And you were in how many islands—Luzon—— A. Luzon and Samar.

Q. Then you were in Luzon all the time of your service except when you were sent to Samar on this expedition?—A. Yes, sir.

Q. That being the remaining place where the insurrection was still rife?—A. Yes, sir.

Q. During your term of service have you been engaged in battle?—A. Yes, sir.

Q. And you have observed prisoners taken by our troops?—A. Yes, sir.

Q. State what treatment the Filipino prisoners of war that we took received at the hands of American officers and soldiers, as to kindness and attention.— A. They would be made to carry the load of the soldier who was in charge of them. They would receive the same food that the American soldiers got if was accessible. Otherwise they were made to work for punishment, but not severely.

Q. Where would the prisoners be confined?—A. In the guardhouse.

Q. That is the same guardhouse in which our soldiers who were offenders were confined?—A. Yes, sir.

Q. And when our own rations were not issued what food was issued to them? Was it the food they were accustomed to?—A. Some times.

Q. And which they most desired?—A. Some times.

Q. And when the Filipino prisoners were sick and wounded where were they taken and what was done with them?—A. They were taken care of by the hospital-corps men the same as the American soldiers.

Q. Where there was a hospital established at a point, as for instance Manila or San Fernando—speaking of Luzon, what is the fact about their being taken to our own hospitals?—A. They took care of them in our own hospitals.

Q. And who attended them, what physicians and surgeons?—A. The Americans, in some cases, I believe.

Q. In other cases, do they have their own physicians?—A. Yes, sir.

Q. That is to say, their own physicians are permitted to attend them if they wish them?—A. I don't know, but they have the Filipino physicians there to attend them.

Q. And the American physicians and the Filipino physicians both attend them?—A. Yes, sir.

Q. What was the treatment of the Filipino people who were peaceably at work, what treatment did they receive at the hands of American officers and men as to kindness and consideration and the like?—A. In some cases they were treated well by some officers, and in some cases the opposite.

Q. What was your understanding as to the general orders or requests or expectations of your commanding generals and officers as to the treatment you should give the peaceably disposed Filipino people?—A. Kindly.

Q. And did you carry that out yourself?—A. I did myself.

Q. And your comrades?—A. Some would and some would not.

Q. What was the general carrying out of these orders of your superior officers with reference to kindness?—A. Accepting the orders, you mean?

Q. What was the general—the common course of conduct of American officers and soldiers toward peaceably disposed people in accordance with this request and order of your superior officers to treat them kindly?—A. I can not say, because, as I say, some officers would treat the natives well and others would treat them the opposite.

Q. I know you said that. You have testified that it was the command and expectation of your officers that you should treat the Filipino people kindly, and you say you did so yourself. Now, I am asking you what was the general course of conduct of the American soldiers and officers toward the people. I am not asking for exceptions, but what was the general conduct of our troops toward peaceably inclined people?—A. Well, there was orders issued by—

Q. What was the conduct? You understand my question very well. What was the common and ordinary conduct of your comrades and the Army, American soldiers and officers, to the peaceably disposed people as to kindness, in obedience to the general orders and commands of your superior officers? Did they, as an ordinary thing—

Senator PATTERSON. Let him answer the question. I submit that the Senator from Indiana is not pursuing a proper course.

The CHAIRMAN. As I understand it, the Senator from Indiana is asking him whether the general conduct of our soldiers was——

Senator PATTERSON. And he will not allow him to answer if he does not answer satisfactorily to the Senator from Indiana.

Senator BEVERIDGE. Oh, that is offensive, and you will withdraw that——

Senator PATTERSON. I think not.

The CHAIRMAN. The question, as I understand it, is, Was the general conduct of our officers and soldiers kind or the reverse?

The WITNESS. It was in some cases kind.

By the CHAIRMAN:

Q. Well, what was the general conduct?—A. I don't know.

Q. We will ask after the exceptions afterwards. Was the harsh conduct exceptional or otherwise?—A. I could not say.

By Senator BEVERIDGE:

Q. You were there three years?—A. Yes, sir.

Q. And in the service that time?—A. Yes, sir.

Q. And you were with your comrades?—A. Yes, sir.

Q. You observed the general course of the conduct of your comrades toward the people who were at work?—A. Yes, sir.

Q. And peaceably disposed. What was their general course?—A. It changed day after day.

Q. There was no general course?—A. No, sir.

Q. What is the fact about our physicians treating sick Filipinos who were not prisoners of war, but just the common people, for their ills?—A. They would treat them well.

Q. What is the fact about our physicians issuing medicines and caring for them who were not prisoners of war, but merely ordinary people?—A. They would also do that.

Q. Since our last session have you had some conversation with any Senators?—A. Yes, sir.

Q. About the testimony you would give this morning?—A. No, sir.

Q. About what occurred out there?—A. No, sir.

Q. Not about the subject of your service or these happenings that you have testified to?—A. No, sir.

The CHAIRMAN. Did you have any conversation before you left Springfield in regard to the evidence that you would give before this committee?

The WITNESS. No, sir.

By Senator BURROWS:

Q. I am not quite clear upon one point. What became of the remnant of your force after the massacre?—A. They went to Basay and from there to Catbalogan.

Q. That is all I want to know; they went to Basay?—A. Yes, sir.

Q. By land or water?—A. By water.

Q. And did not return to the scene of the massacre?—A. Some did the next day, those that were able to go; those that were not wounded returned the next day to show the other company the place.

Q. Did some other company come in and occupy the camp?—A. When we landed in Basay we met G Company there and the next day G Company went up and a few of the men from C Company to show them the place.

. And they went up and occupied this town?—A. They did not occupy it; they just went up there to bury the dead. Some of the 9th Infantry I believe occupied the —

. You went by land to Basay?—A. No; we went by water.

the CHAIRMAN. From Balangiga to Basay they went by water.

By Senator BURROWS:

. I thought you said some went overland.—A. No, sir.

. All went by water?—A. Yes, sir.

the CHAIRMAN. It is on the coast, and you followed the coast along?

the WITNESS. Yes, sir.

By Senator BURROWS:

. And how many of the survivors went to Basay?—A. I think about 29.

. Out of the 72?—A. Yes, sir.

By Senator BEVERIDGE:

. Your own personal general course of conduct to the Filipino people who were peaceably disposed was kind and considerate?—A. Yes, sir.

. Did you go with the advance of General MacArthur from Manila toward—you were in San Fernando?—A. Yes, sir.

. After our troops had passed on, defeating the enemy, you returned, of course, to Manila?—A. Not to Manila.

. You returned to some place?—A. Yes, sir.

. Did you find the people at work in the fields when you came back?—A. Some of them.

. Did you find them occupying their homes?—A. Some of them.

. I will ask you whether or not you do not know it to be the fact immediately after our advance to San Fernando, all through Aperi, in less than five days the people had occupied Aperi and all the villages along the road, and were at work in the fields?—A. I know some of them did; of course I don't know whether all of them did or not.

. Why do you qualify that answer? Did you see people at work in the fields peacefully?—A. Yes, sir.

. Did you see them occupying their homes peacefully?—A. Yes,

Senator PATTERSON. The statement may be in the testimony, but I have been unable to find it, as to the number of Filipinos killed in the massacre.

the CHAIRMAN. I do not think it was testified to, but it is in Captain Bookmiller's report.

Senator PATTERSON. Do you know how many were killed?

the WITNESS. No, sir.

the CHAIRMAN. Captain Bookmiller's report says 50 as near as he can tell, including, I think, the chief of police. Was he killed?

the WITNESS. Yes, sir.

Senator BURROWS. You said our soldiers compelled the prisoners to carry their loads. What loads?

the WITNESS. The haversacks, the canteens; that is about all.

By Senator BEVERIDGE:

. How far?—A. On the continuation of the journey.

. During a day's march, I suppose?—A. Not always.

Q. You do not mean to say that they impressed them as servants during the whole campaign?—A. No, sir.

Q. What is your occupation?—A. Piano tuner.

TESTIMONY OF GEORGE G. BOARDMAN.

Sworn by the chairman.

By the CHAIRMAN:

Q. From what State do you come?—A. Kansas; I was born in Iowa.

Q. You have just returned to this country?—A. I returned about a month ago; I do not remember just the exact date.

Q. And you have been in the Army—— A. For three years.

Q. The Regular Army?—A. Yes, sir.

Q. And what regiment?—A. The Twentieth United States Regular.

Q. And you served in the Philippines?—A. Yes, sir.

Q. And you have just returned from there?—A. Yes, sir.

Q. In what portions of the islands did you serve?—A. When we landed we landed in Manila. We landed there in February, 1899, and Tondo was burning.

Q. That is a portion of Manila?—A. Yes, sir.

Q. And then did you serve in Luzon?—A. Yes, sir. Shall I relate the story?

Q. I only wanted to get what parts of the islands you served in. You served in Luzon and—— A. In and about Manila, being a policeman for a year and a half there, and then I was in northern Luzon, in Ilocos Norte for six months, where I taught school, and also in southern Luzon, in Batangas, the last six months of my service.

Q. Were you in Samar?—A. No, sir.

Q. Your service was all in Luzon?—A. Yes, sir.

Q. You say you taught school in Ilocos Norte?—A. Yes, sir.

Q. For six months?—A. For nearly six months; for five months and a half.

By Senator BEVERIDGE:

Q. Were you detailed to teach school?—A. Yes, sir.

Q. By your officers?—A. Yes, sir.

Q. That was a school established by the military?—A. Yes, sir.

By the CHAIRMAN:

Q. While you were in Luzon did you witness any cases of cruelty or the administration of the water cure, and so forth?—A. During my last six months while in southern Luzon, in Batangas Province, I did witness some cases of cruelty.

Q. State the circumstances, please.—A. This was on the part of the natives. We were out one day over the hills, toward a mountain called Quinka, and there is a little city right at the foot of the mountain. In that city a little boy, named Thomas, 17 years of age, and his mother lived. He wanted to run away from home to join the army. This is the story told by Thomas after he was captured.

Senator PATTERSON. To whom was it told?

The WITNESS. Our boys, the boys in our company. He did not tell it to me, but I heard it after he was dead. It was a story told to our company, and it was very plausible.

Senator PATTERSON. I submit to the chairman whether that comes in his ruling.

Senator BEVERIDGE. I suppose we can ask what the general report about it.

the CHAIRMAN. What was the case, first, and then I will ask you what general report was.

the WITNESS: The case was this: The boy was captured and brought

Senator BURROWS. By whom?

the WITNESS. By us. He was brought to Bañan, and while there natives sent him word that they were going to kill him for joining American forces, and he asked for a revolver from the Major to protect his life; and the Major refused to give it to him. He told him we did not give revolvers to any of the boys. This was on Monday. On Saturday he was killed in the market.

By the CHAIRMAN:

. Did you know of his death?—A. I knew of his death; I saw him as he fell over in front of our company. He hollered "Guardia" in front of our company and fell over.

. By whom was he killed?—A. By the natives, in the market.

By Senator BEVERIDGE:

. When was this?—A. This was some time in October.

. October, when?—A. This last year.

By the CHAIRMAN:

. Did you see any cases of administration of the water cure by our troops to natives?—A. In the capturing of this boy—I did not see this, this was not water cure in this case, but they took the man around behind the house and shot off a gun and the other natives that were captured stayed there, and they thought the man taken behind the house was shot, and then they asked him if he would tell where the arms and ammunition were. They would take them around behind the house and shoot off the gun and finally one told of this boy. Of course they were not really shot; they were simply taken around there and that was the means of getting information out of them.

. By frightening them?—A. Yes, sir.

By Senator BEVERIDGE:

. Did you thus discover the murderer of the boy?—A. We rushed into the market——

. No; I say by this method did you discover the murder of the boy?—A. No; we did not.

the CHAIRMAN. This was another case where they took them out and frightened them.

Senator BEVERIDGE. Oh!

By Senator PATTERSON:

. They got a number of the natives?—A. Yes; I can relate one in regard to why——

. I want to get this particular matter. They got a number of the natives and they would take one behind a building and shoot off a gun, the intention being to create the impression upon those that remained that they had killed the native they took behind the building.—A. Yes, sir.

Q. And then they would come back and endeavor to get the information they wanted, and if they did not get it they would take another native out behind the building and shoot off the gun again, creating the impression that they had killed him?—A. Yes, sir.

Q. And they kept up that process until what?—A. Until we found a subject who would give us information.

Senator BEVERIDGE. That was not indiscriminately; that was simply taking natives who were suspected.

The CHAIRMAN. They were seeking for information as to the whereabouts of guns and ammunition, as I understand it.

By Senator BEVERIDGE:

Q. From persons whom you thought were in sympathy with the insurgents?—A. We knew they were because they had shot at us.

Q. It was not the population indiscriminately, then?—A. No, sir.

By the CHAIRMAN:

Q. Was any attempt made to get the murderer of the boy?—A. Yes, sir.

Q. Did you capture him?—A. We captured four or five, among which they claimed afterwards the murderer of the boy was found.

Senator BEVERIDGE. You stated you could give one instance and the cause a moment ago, when Senator Patterson took up his line of inquiry. Will you return to that?

The WITNESS. Yes; certainly.

Senator PATTERSON. Before he comes to that—you say that these men upon whom this process of terrorizing was carried on had shot at you?

A. Yes, sir.

Q. How do you know that?—A. We could tell by the bamboo near where we were cracking.

By Senator BEVERIDGE:

Q. Where the shot came from?—A. Yes, sir.

Q. And you would go in there and get them?—A. Yes, sir; we could tell what direction it came from.

Senator PATTERSON. And you would go in this direction and find men and bring them in?

A. Yes, sir; usually get some men.

The CHAIRMAN. Was there an insurrection going on in Batangas at that time?

A. There was.

Senator BURROWS. What time was that?

The CHAIRMAN. That was during this last six months?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. During the active warfare in Batangas?—A. Yes, sir.

Q. It was not a pacified province yet?—A. No, sir.

Q. Who was in command?—A. General Sumner.

Q. Now, you may go back to that instance.—A. A party some quarter of a mile away fired on us one day and we rushed over there, and the natives were standing around and said, "Americano mucho bueno, mucho amigo, no quero combater." And we knew that they had shot at us, because the bullets had come from that direction.

Senator PATTERSON. Had somebody been wounded or killed on this mission?

the WITNESS. No, sir.

By Senator PATTERSON:

Q. They probably shot to kill?—A. They came very near us.

Q. Well, go ahead.—A. Then we told them to hunt up their guns. We knew that they had shot at us. They said that they didn't have bolos or guns; that they were amigos. But we had tried this before, and we were not deceived by them. If there was only a small party of us and a large party of them they would pick up their guns and attack us, but if there was a small party of them they would wait until the next day. I am relating now how it usually was; that if we met them and did not secure their arms and ammunition they would attack us the next day with those same guns. So we knew by experience that it was necessary in order to protect our lives to secure the ammunition and guns; and the one that I saw the application of water was given to was not hurt in the least. He was pretty badly scared; said himself that he would not tell, but he said another party would.

I suppose that he thought that there was a weaker subject. Another party did tell. He went off and found some 17 guns.

Q. You secured 17 guns?—A. Yes, sir; something like that. I did not say as to just the number.

Q. Have Malvar and the insurgents all been captured now? They are all surrendered, have they not?—A. I understand so; yes, sir.

the CHAIRMAN. It is now 12 o'clock, and we will have to discontinue.

hereupon, at 12 o'clock, the taking of further testimony was adjourned until Tuesday, May 13, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Tuesday, May 13, 1902.*

The committee met at 10.45 o'clock a. m.

Present: The chairman and Senators Allison, Beveridge, Burrows, Smith, Carmack, Dubois, and Rawlins.

TESTIMONY OF GEORGE T. BOARDMAN—Concluded.

Senator ALLISON (acting chairman). I see here in your testimony that you were speaking somewhat of the province of Batangas when you gave your testimony on Saturday.

the WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. I think he had testified as to the means of the campaign, ending with what was done in Batangas, and that he said Malvar had surrendered or was captured?—A. Since that time he has been captured.

Q. Have you any other instances except those you have related concerning the methods employed in Batangas? You remember the last one?—A. Yes, sir. I had some in Manila. Do you mean anywhere in the islands?

Q. Yes; anywhere in the islands, of course; but you were being questioned about Batangas at the last meeting, so I thought it would be

convenient to take it up there.—A. You had my last story in regard to little Thomas, the little boy that was killed.

Q. And concerning the capture of the 17 guns.—A. And the treacherousness of the natives. There is perhaps one more instance in Batangas I might relate. President McKinley was killed here along the fore part of September, and Company C, Ninth Infantry, was massacred in Batangas along the last of September—September 28, I think.

Senator ALLISON. That was in Samar?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. Go on.—A. The natives at this time, the Tagalos—for they are the leading natives in the warfare against the American people, this Tagalos tribe have a means of distributing over the islands, a kind of a telegraphic system; they can get word from one place to another faster than—well, in two or three days they had word of that massacre and while they were there thirty of us men were there, Company I, Thirtieth Infantry, in a little city, next to the beach, Bauan.

Senator ALLISON. What city?

The WITNESS. An outskirt of the city of Bauan; and the natives heard of this massacre and they used to come up to our quarters, around our quarters, and they would say, "Usted mucho malo."

Senator BEVERIDGE. Which meant?

The WITNESS. You are bad, and "Americano mucho malo, Usted tambien"—which means "we will do with you likewise," as they had done to these men below.

By Senator DUBOIS:

Q. This was the last of September?—A. This was about—well, they got word about the 4th or 5th day of October. It took two or three days to get the word around. It was something like 250 or 300 miles between the two places. They got word in two or three days and then they begun their taunts.

Q. This was September, 1901?—A. Yes, sir; September and October, 1901. It was the fore part of October, however, I am referring to.

By Senator BEVERIDGE:

Q. Now, proceed with your incident.—A. And when we heard that General Smith had given this order to burn and kill the natives, the natives of Bauan began to be pretty quiet. Now, I wish to state that while we were waiting for this order of General Smith there was a great deal of fight among our boys at that place. We had—

Q. After they heard about the massacre?—A. Yes, sir. There was one of the guards walking behind our quarters and one in front of them, and the natives in the village (about 8,000 people), which is a little seaport town, could have easily come in and massacred all of us, because there were only 30 men there and one sergeant and two corporals, and the rest were privates, myself among them. We had no peace, you might say, until this order did come, because the natives were harassing us, and we were afraid of them at all times. The boys would wake up, and I have seen men rise up and say, "Get him, boys, get him." They were so scared you know.

Q. After this order?—A. After this order the natives began to quiet down. They were afraid the Americans meant what they said, and that is one thing I must say; that there has been a difficulty in

the islands because they have felt that the Americans did not mean what they said, for General Otis in the first year he was there issued an order that at a certain time they would be considered outlaws. Perhaps you remember this order. The boys of my regiment, as well as all the other regiments, expected these men would be outlawed as quick as the time had expired—three months, I think it was. I won't say it was three months, because I don't remember the exact amount of time allowed.

Q. The men carrying on this guerrilla warfare?—A. Yes; and so we used to say, "Now, as quick as this time is up we are going out and we will end this thing; in about two weeks we will get their guns and capture Aguinaldo and stop this war." At the end of this time, however, it was put off again a little longer, and mind you the natives, or a great many of them, had come in and surrendered their arms and there were but a few natives then warring against us. Then, those that had not come in, such as Aguinaldo, who accepted that policy, and Luna, who wanted to fight like a man—Aguinaldo preferred to hide behind the bush, and the majority of the soldiers have no respect for him; they have more respect for Luna, and where I taught, by the way, is the home of this General Luna, and they used to tell me that they were glad that Aguinaldo was captured. They said he had killed their townsman. He was considered by all of the Ilocos Norte people as the best educated Filipino in the island. But going back to my story. At the end of this time it was put off again for some purpose. Why, I didn't know at the time.

Q. That is the execution of this order concerning outlawry?—A. Yes, sir.

Q. That was not enforced?—A. No, sir.

Q. And the result of that on the native mind was what?—A. That we did not keep our word with them and they did not keep their word with those outlaws because they, the natives that had come in, said, "Why don't you kill Aguinaldo? He is an outlaw. Kill him!" We were in police duty at the time in Manila, and many natives about the city of Manila used to throw it up to us, "Why don't you kill these outlaws?"

Q. So the policy of postponing from time to time the execution of the order against the outlawry—that policy of leniency did not produce a good effect upon them?—A. It did not; no, indeed; for from time to time the people thought the Americans did not believe in keeping their word with them.

Q. With reference to this outlawry?—A. Yes, sir.

SENATOR PATTERSON. You insist upon injecting "about this outlawry."

SENATOR BEVERIDGE. You were not here when this thing began.

SENATOR PATTERSON. It does not make any difference whether I was or not, the method of examination is not fair or just. The witness ought to be allowed to answer without having words put in his mouth.

By SENATOR BEVERIDGE:

Q. Go ahead. —A. This had become worse until the time when General Smith had to make that order. It was a necessity to preserve the lives of those soldiers; it became a necessity.

Q. Have you any further incidents to relate, any occurrences in Batangas, actual occurrences such as the capture of these guns or anything else in the line of what you first testified? If you have, go ahead —

A. I have one more which comes in the line of the women of that place.

Q. Let us hear it.—A. In Manila, right across the street from our quarters, there was a woman who had a little girl. She had picked her up on the street, and she was about fourteen at this time. The first year we were there she sold peanuts to our boys. A Chinaman came and asked how much she wanted for this girl. The old lady said she wanted \$150. This is Mexican money, you understand. But they agreed upon \$71 American, or \$142 Mexican money. The Chinaman came to get the girl, and when he came she rushed across into our quarters. The Chinaman came two or three times and tried to get the girl, but she would stay in our quarters, and one of the boys kicked him clear the length of the street.

Q. You mean to say our boys protected the girl?—A. Yes, sir.

Senator ALLISON. How old was she?

The WITNESS. Fourteen years old. He protected her against this selling. But I wish to say that that is the method being used there under this Spanish law because all the laws in the Philippine Islands are practically Spanish, as our Constitution has not been taken over there. The government—the judges in those islands are men who are appointed—that is my knowledge of the fact—that are appointed by the governor of the island. They are appointed by the governor, and the laws that they are putting into execution are laws that the old Spanish used to have. As, for instance, I was on police duty—

Senator ALLISON. When was that?

The WITNESS. In Manila.

Senator BURROWS. At what time?

Senator ALLISON. Dates are important.

The WITNESS. We were on police duty, I don't know the exact date when we went on police duty.

Senator DIETRICH. What year?

The WITNESS. 1899. We were on police duty almost two years. During that time, however, I was detailed—while I have said once before I was a policeman about a year and a half—I was detailed for about half a year as a clerk in the commissary.

Senator PATTERSON. You were going to illustrate some Spanish law. What was it?

The WITNESS. I was going to illustrate one fact when I was on police duty in regard to the counterfeiting of money and the passing of counterfeit money. Two natives of the island had passed counterfeit money, a dollar apiece—each one had passed a dollar. We arrested them and they were fined \$50 apiece. They were not able to pay the fine and so were committed to Bilibid prison for fifty days. Then I knew that at the Hongkong bank they were passing this same coin: so I took a twenty-dollar gold piece down and passed it in the Hongkong bank. I secured two of these bad dollars. I went to the captain of my company, who was on police duty at that time at the Binondo district, and we were in the Escolata. You know the position of our quarters.

Senator BEVERIDGE. Very well.

The WITNESS. I showed the \$2 to the captain, and I asked the captain for permission to go and arrest the cashier of this bank. The captain refused me, saying, "Boardman, take them back to him and see if he will not exchange them." I took them back and he would

not exchange them. He said, "No; I will not." I told him I had just received that money there and I wanted the change. But he would not do it. He said, "I will not exchange them." I took them back to the captain. The captain said, "I will take them to the colonel to-morrow morning." Captain Morrison was the captain of my company. Colonel McCaskey was the colonel of the regiment at that time. Captain Morrison took them to the colonel, and when he brought them back with his morning report I asked him the result of the investigation, and the captain told me it had been twenty-four hours and the colonel was afraid we could not do anything about the money. I asked the captain if I could pass this money, and the captain said, "No; you know it now and you can not pass this money." Well, there was no redress.

Senator BEVERIDGE. That was the operation of the Spanish law?

The WITNESS. The thought is this, Senator Beveridge: That these two natives were serving a sentence in jail, and it had gone all over the city of Manila that they were serving a sentence in jail, when they knew that the bank was passing this kind of money.

Senator BEVERIDGE. And the Spanish law furnished no redress?

The WITNESS. It seemed to furnish no redress.

And in regard to the commissary I would say this: There is a man there now serving eight years in the Bilibid prison. Pedro is his first name. Pedro was a very willing worker, and when our men put the goods from the commissary, the destroyed goods, back into a small apartment for condemnation, Pedro would bring them out for the inspector to look at at the end of each month. We had the list ready for them. We had about a thousand pounds of flour at the time when I was there and cans of lard that were being spoiled. They were put in this outside building. The inspecting officer when he would pass around would say, "Destroy this." Before I was there, Pedro— I can not blame anyone especially of the men who were there—but before this time, because Pedro had been taught by some one that he should put the flour back into the room to be inspected over the next month and condemned four or five times, as it was.

Now, the application is this—that we were losing lard. I suspected that Pedro was stealing it. I was one of the clerks at the time; and as we had lost quite a good deal of lard, I told one of the clerks that I thought Pedro was stealing it. He said, "I don't think so. Pedro is one of the best men we have got, and I don't want to think he is stealing this lard." I told him I believed he was, because I had seen him going along with a can behind the quarters and I had hallooed to him, and he would not say anything, but rushed right along. This other clerk at the time told the chief clerk that he did not think I was right in accusing this Filipino boy. He said he could not get along with me there as the clerk, and so this clerk had me returned to my company.

By Senator BEVERIDGE:

Q. So you returned to your company?—A. Yes; and about a month after they discovered the boy had been stealing lard. These natives said, "How does it come that they arrested Pedro and put him in jail for eight years, when the Americans steal right straight along?" And Pedro said that they educated him on those lines; and because he had been caught stealing two or three hams and some lard, and throwing it over the fence, he was given eight years in Bilibid; which I say is unjust.

Q. He was given eight years in Bilibid for stealing army provisions?—A. Yes, sir; when he had been taught this deception by the condemning of this stuff over and over and over, as he had.

Q. That is your inference. You have related what you saw?—A. I know it was condemned over again because I saw that.

Q. You saw that, I say, and you saw what the boy did?—A. Yes, sir; and the boy told me——

Q. I know; you have told us that.

Senator CARMACK. I would like to hear that.

A. (Continuing). The boy told me, he said, "They told me to put that stuff back in there, and now," he says, "I can take one can of lard and they can call it condemned."

By Senator BEVERIDGE:

Q. That is what the boy said?—A. That is one thing the boy said among the things that he told me. As I told you before, it was circulated about among the natives that they did not see justice in this.

Q. Why the boy should be imprisoned for eight years?—A. Yes, sir.

Q. Now, Mr. Boardman, to take up another line, from your testimony about these methods that were employed in suppressing the insurrection, I believe I remember your testimony to the effect that at some town where we had entered you were detailed as a teacher?—A. Yes, sir.

Q. Where was that?—A. San Nicolas, Ilocos Norte.

Q. That is far north of San Fernando?—A. Yes, sir.

Q. Do you know Mr. Henderson, of San Fernando, who was detailed to teach school there?—A. No sir; I don't.

Q. He established a school. Was it by the order of the military?—A. By order of the military authorities; yes, sir.

Q. How long after we entered the town was the school established; how long after our occupation?—A. I can not tell you just when.

Q. About how long—a week, two weeks, or a month?—A. After we entered, about two weeks.

Q. After about two weeks?—A. Not the Army; the Twentieth Infantry.

Q. About two weeks after the entry of the Twentieth Infantry this school was established by the military authorities and you were detailed to teach it?—A. Yes, sir.

Q. At that same time, or before, was civil government established there by the military authorities under the civil law of General Otis?—A. I think not. I think Colonel McCaskey——

Q. The first thing, then, preceding the establishment of civil government was the establishment of this school?—A. I know I commenced teaching.

Q. The work of education was the first thing that was begun?—A. It seemed to be one of the first; yes, sir.

Q. You continued to teach that school how long?—A. From some time in February until in July.

Q. Did you use your best endeavors and best abilities as a teacher?—A. I did, sir; I enjoyed that work.

Q. You took a pride in it?—A. Yes; I enjoyed it more than anything else; in fact, those are the best six months of my life, those months spent there in teaching those children.

Q. You cared for the children as an American teacher cares for them here?—A. Yes. There were 475.

Q. What seemed to be the effect upon the children and upon their parents of the care you took of the children in educating them?—A. I can say in regard to the Ilocos Norte people that they were very proud of the American rule and of having their children learn English, because, as you know, the Ilocos Norte people want the American rule. It is simply the Tagalo people who are fighting us.

Q. What is the fact as to its having been the general practice when we would occupy and pacify a province, for the military authorities to establish schools and detail the soldiers for that work, to teach them?—A. That was the rule; yes, sir.

Q. That rule was followed out in practice?—A. It was.

Q. You were detailed to teach there, and Mr. Henderson was detailed to teach in San Fernando, and other soldiers were detailed elsewhere?—A. Yes, sir.

Q. And how long were you in the islands in active service altogether?—A. Almost three years.

Q. During that period you observed the people throughout the island of Luzon fairly well?—A. I did, sir.

Q. Did you see prisoners taken, after they were taken?—A. Oh, yes.

Q. Will you state what the treatment of those Filipino prisoners taken in war was at the hands of our officers and men as to kindness, care, and consideration?—A. I would say that they were treated with care, and I, with many other soldiers, said they were treated altogether too good, because many of the fellows would rather be in prison than out, because they would get something good to eat in prison.

Q. About eating; would they get plenty of food?—A. Yes; they got plenty of food.

Q. Such food as they wanted?—A. Yes; the kind of food they liked—rice.

Q. And if any of them fell sick or were wounded, what care was taken of them?—A. Always good care.

Q. The same care as American soldiers?—A. I never was in the hospital with them, but I think that they received as good treatment as the American soldiers.

Q. Do you know what physicians attended them?—A. I think they must have been our own physicians.

Q. Now, I want to ask you this question: What was the general understanding among the troops as to the desires and orders of the commanding officers concerning your treatment of the people who were peacefully at work, as to kindness, and care, and consideration?—A. They were always of the very best, and were most humane.

Q. Was that treatment that you understood your commanding officers to expect from you the treatment that you gave the people?—A. It was to a certain extent, but you know the boys have so many things to dishearten them and so little food, and many things that they don't

Q. I am talking about

Senator CARMACK. Let him finish.

Senator BEVERIDGE. Go ahead, if you are not through.

A. (Continued.) The boys become very much discouraged and disgusted with the present system, I must say, because in Batangas, where I was stationed, they did not like the kind of food that they got—

Q. I am not talking about the kind of food.

Senator CARMACK. He was going to say something about the effect of that, and I would like him to finish that statement. What were you going to say?

The WITNESS. I was going to say that the whole tendency of the Army is to make the men anything but pleasant toward the natives, because every soldier realizes that war is hell and they are going to give the Filipinos hell. That is about the size of it.

By Senator BEVERIDGE:

Q. While war prevails?—A. Yes, sir. And they use the guns to shoot with rather than to preach the gospel; but it is an unwritten law that one soldier would not talk against another soldier.

Senator CARMACK. Would not what?

A. (Continued.) I would not come here and testify against other American soldiers, because I was a soldier myself.

By Senator BEVERIDGE:

Q. Returning to my question, it is this: You have testified about the establishment of schools, and about you and your fellow-soldiers having been assigned to teach those schools, and about the effect of those schools, and about your understanding of the desires and commands of your superior officers as to the treatment to be given the people. What I want is this: Was the general course of American officers and men toward the people who were peacefully at work in their fields and were not engaged in insurrection kind and considerate?—A. Senator, I can not answer that only in one way.

Q. Answer it any way.—A. And that is, a soldier passing through a country, if his food did not come up with him, he is going to take food wherever he can get it, whether it is from the peaceful native or the unpeaceful.

Q. He must feed himself?—A. He must feed himself.

Q. Now, in respect to——

Senator PATTERSON. Let him go on.

Senator BEVERIDGE. I think he finished.

Senator PATTERSON. No; he was going on——

By Senator BEVERIDGE:

Q. I will ask this question: You testified as to the expectation of the commanding officers concerning the treatment of the people who were peacefully at work—not engaged in insurrection. What I ask you is, What was the general course of the treatment by American soldiers of Filipinos engaged in peaceful work, as to kindness and consideration?—A. Our orders, Senator Beveridge, were to treat them kindly; but an officer will not object, if a man is hungry, to his going into a house and getting something to eat.

Q. I get that quite clearly. Now I ask again, What was the general course of treatment by American soldiers of the people who were at work, with reference to kindness and consideration?—A. There don't seem to be very many of them at work.

Q. In the field?—A. They are a pretty lazy sort of people in one way.

By Senator DIETRICH:

Q. When you did not treat the Filipinos well it was the exception and not the rule, was it not? As a rule you treated them well?—A. Our orders were always to treat them well.

Q. And if you did not it was the exception as individuals?—A. Well, in a state of war we treat them as well as it could be expected in any other war.

Q. You were in Batangas, were you?—A. Yes, sir.

Q. Were you there after the order was issued by General Bell for a reconcentration of the people there?—A. No, sir; I was not.

By Senator BEVERIDGE:

Q. For example, you were teaching in the Ilocos Norte province?—A. Yes, sir.

Q. Did you return southward, then, by way of railroad to Manila?—A. No, sir; we came by boat.

Q. You did not come back through the provinces that had been pacified?—A. No, sir; we did not.

Q. What was the treatment by American officers and men of the people in Ilocos Norte as to kindness and consideration?—A. Senator, in Ilocos Norte the people were very much pacified.

Q. I understand that. What was the general course of the treatment by American officers and men in Ilocos Norte as to kindness and consideration? You understand that question.—A. Just as well as they would be under a peaceful—

Q. Conditions here?—A. Certainly; anybody that respected a soldier would get respected in return.

Q. So that the general course of conduct by American soldiers and officers to the people of the province of Ilocos Norte was kind and considerate?—A. It was in every peacefully—

Q. Certainly; that is the question. In every peaceful province where the people were peacefully at work the conduct of the American officers and men toward the people was kindly and considerate as a general rule?—A. I shall have to bear out my other statement that things are so unsettled among those people that there is very little work being done—

Q. Leaving out the question of work, then, where the provinces have been pacified, as in Ilocos Norte, it is true, is it not, that the general course of conduct of American officers and men toward the people is kind and considerate?—A. I can answer that better by an illustration.

Senator PATTERSON. Answer it in your own way.

Senator BEVERIDGE. You may give your illustration, and then I want your answer to the question as to the general course of conduct.

A. (Continued.) I have a method that I will compare it with, and that is the method that was once instituted in our own country when soldiers were in charge of supposed peaceable people. Military rule, Senator, is a very poor thing to give anybody. We would not stand a military rule here. So you could compare it by having your State, for instance, under military rule, and you could compare it very well. They would treat you and treat those people as well as they would you.

By Senator BEVERIDGE:

Q. Is that your illustration?—A. My illustration is that a soldier is a soldier anywhere.

Q. But I thought you were going to illustrate some specific instance. In Ilocos Norte you have testified about your conduct toward the children and the parents and the effect that your teaching had upon them; you have testified as to the orders that the commanding generals and

the commanding officers gave as to the treatment they expected from you toward the people. What I am asking you now is what the general course of conduct by the soldiers toward the people in pacified provinces was, not in the disturbed provinces, that is one thing. but in the pacified provinces. Did they obey the orders of their officers, did you obey those orders?—A. I was a teacher.

Q. And when you were not a teacher—before you were a teacher and after you were a teacher—did you obey the orders of your commanding officers in reference to kindness and consideration to be shown toward the people?—A. If I did not I would usually get \$15.00 taken off of my pay, or a hobtail, or something.

Q. If you did not treat them well?—A. If I did not obey orders.

Q. And did you obey orders in treating the people well?—A. Only when I was hungry—

Q. When you were not hungry, then, did you treat them well?—A. I treated them as well as a man would probably be expected to with a gun and ammunition.

Q. You were not fighting with your gun and ammunition in pacified provinces, were you?—A. No, sir; I was teaching.

Q. And when you were not teaching and had your gun and ammunition in a pacified province, and you did not use your gun and ammunition—A. I was teaching then.

Q. The gun and ammunition in the hands of a soldier were not used in a province where there was no insurrection, were they—and no ladrones?—A. They generally intimidated the people by the fact that they had them.

Q. I am talking about the use of them. You spoke about a soldier with ammunition and gun in a pacified province, with no ladrones or murderers. There was no use of a gun and ammunition there, was there?—A. It would be liable to be ladrones. There are ladrones in all those provinces.

Q. And that is what the soldiers used their guns and ammunition for, was it?

Senator CARMACK. These ladrones are robbers and outlaws?

The WITNESS. Yes; robbers and outlaws who terrorized the people.

By Senator BEVERIDGE:

Q. They terrorized the people. Did our soldiers use their guns and ammunition on those robbers and outlaws?—A. Certainly; whenever we could find them.

Q. They protected the people with their guns and ammunition from the terrorism you speak of at the hands of these outlaws?—A. Yes, sir.

Q. You speak about military rule. Have you been in any province where the soldiers are withdrawn and civil government established. American teachers, not soldiers, at work?—A. I don't think, Senator, there is any —

Q. Have you been in such a province?

Senator PATTERSON. He was answering the question. What were you going to say when you said, "I don't think there are any such?"

Senator BEVERIDGE. I am asking him as to whether he has been in such a province.

Senator PATTERSON. And I certainly object to the Senator interrupting the witness when he is going ahead and answering the question.

Senator ALLISON (acting chairman). Let the witness answer.

The question was read, as follows:

“Q. You speak about military rule. Have you been in any province where the soldiers are withdrawn and civil government established. American teachers, not soldiers, at work?”

A. I don't think there is any where all of the soldiers are withdrawn.

By Senator BEVERIDGE:

Q. Have you been in a province where civil government is established, the courts at work, American teachers living there without a military guard of any kind; have you been in such a province?—A. I have never heard of one.

Q. I could furnish you information on that point; but have you been in one?—A. That answers it—

Q. Have you been in one; yes or no?—A. Certainly not.

Q. You do not, then, know the conditions there as to whether the people are at work or not?

Senator ALLISON (acting chairman). He could not very well know that if he has not been there.

(The witness did not answer.)

By Senator BEVERIDGE:

Q. Have you had any conversation with anyone since you came to Washington concerning the things that transpired out there in the Philippines?—A. I have never objected to telling the story in my own way to anybody.

Q. Have you had such a conversation since you first testified here?—A. Oh, I did with Senator Deboe, of Kentucky, I believe. That was the only one I think I have had.

Q. Anybody else?—A. I passed the time of day with the Senator here; I guess that is all.

Senator PATTERSON. What is the object of the Senator from Indiana endeavoring to connect some Senator with having an improper communication?

Senator BEVERIDGE. I have not said anything about an improper communication.

Senator PATTERSON. I wanted to know whether that was the only object. This is the second witness the Senator has interrogated in that way.

The CHAIRMAN. Is there anything further?

Senator BEVERIDGE. I do not think of anything further?

Senator CARMACK. I have not talked with this witness at all, and I do not think he has talked with any member of the minority.

Senator ALLISON. I had not the pleasure of seeing him until this morning.

Senator CARMACK. I do not think there would be the slightest impropriety on his part or on ours if we had conferred with him or he with us, but I think as a matter of fact he has not had a conversation with any Democratic member of this committee.

By Senator BEVERIDGE:

Q. Outside of Senators, whom have you conversed with since you first testified here in regard to your testimony?—A. I assure you that nearly every one who knows that I have returned from the Philippines asked me questions.

Q. Since your first examination here, whom have you had any con-

versation with?—A. There is no danger of my getting paid for it anyway.

Q. Whom have you had a conversation with since your first examination here?

(The witness did not answer.)

Senator CARMACK. I think this is uncalled for. I do not think the witness should be interrogated along this line, or that anything should be imputed to him——

Senator BEVERIDGE. There is no imputation made.

Senator PATTERSON. Senator Lodge said that he summoned this witness, and he was not summoned by any member of the minority.

By Senator CARMACK:

Q. I understood you to say, in speaking of the conduct of the soldiers, something about some of them being so disgusted on account of their being insufficiently supplied with food, and so on?—A. I did, sir.

Q. That it had a bad effect upon the temper and disposition of the soldiers?—A. It did; yes, sir.

Q. And it made them somewhat inclined, on account of this general bad temper and disposition, to be rougher in their treatment of the natives than they otherwise would have been?—A. I think so; that is no more than reasonable.

Q. I will ask you what is the general effect of service in the Philippine Islands—in that climate and under conditions which naturally surround the soldier, the army, there; what is the general effect upon the temper and disposition of the soldiers?—A. It has a tendency to make them morose and treat the Filipinos as they try to treat us, by being treacherous and using means, as you understand, all manner of means, to——

Q. Independently of the question of retaliation on natives, what is the general effect of the hardships of service and the conditions of that climate and of the soldier being far away from home and removed from the influences of home and with all the other hardships of the service; what is the effect of such service upon the temper and disposition of the soldiers?—A. As for myself, I will say that I have less use for the United States Army than I ever had before, because of the way I was treated.

Q. I was not speaking of that, either; I was just speaking of the effect of the service, the hardships of the service and the conditions of the service——

Senator BEVERIDGE. Let him say how he was treated.

By Senator CARMACK:

Q. I will. A soldier being 7,000 or 8,000 miles from home and removed from all the influences of home, in a very trying and severe climate and under general conditions of service that are hard and severe, what is the effect upon the temper and the feelings and the disposition of the soldier; does it tend in any way to make him vicious or rough in his dealings with other people?—A. Certainly it would. I can answer that by saying yes.

Q. That is the natural effect of service under such conditions, and when that is aggravated by the acts of the natives the temper of the soldier becomes even harsher and more severe, if I understand you?—A. Yes, sir.

By Senator PATTERSON:

Q. Tell us what your own grievance is, Mr. Boardman.—A. Here is a little example of it: Here is a can of salmon that was given me for my last day's ration, and here is another sample of the kind of stuff [witness exhibiting two cans to the committee]. I think the man who got this up and introduced it into the United States Army ought to be shot at sunrise.

Q. What is the last can you have there?—A. I would not eat it.

Q. What is it?—A. This is it. You can see what it says on it.

Q. (Senator Patterson examining the can.) It says this tablet is sufficient for a hearty meal; that it may be eaten without further preparation, boiled five minutes, porridge, as hash; or to make soup that it should be boiled in 2 quarts of water fifty minutes and seasoned to taste with salt and pepper. Well, what is the matter with the salmon you have got there?—A. I think that can is spoiled.

Q. What is the matter with the porridge, the other preparation?—A. Any of you are welcome to eat it.

Q. When did you get that?—A. I have never tried it myself, but that was issued to soldiers.

By Senator BEVERIDGE:

Q. You have not tried it?—A. No, sir; I will not eat it.

Q. Why will you not eat it; you have not tried it?—A. No, sir.

Q. You refuse it without trial?—A. Yes; I am not compelled to eat it.

By Senator PATTERSON:

Q. Mr. Boardman, when I came in this morning you were talking something about orders having been put off, and the failure to execute the order causing great dissatisfaction with the soldiers. What was it you were referring to?—A. It was a general order of General Otis.

Q. What was the order that you refer to?—A. I can not relate the order just exactly.

Q. What was the order in substance?—A. The general order was that after a certain time they were to become outlaws, the people

Q. That is, the soldiers in insurrection or the people were to become outlaws?—A. The soldiers in the insurrection, those that did not lay down their arms and become subjects and swear allegiance to the American Government, should become outlaws.

Q. I see. And because General Otis did not carry that into effect when the time came it made the army dissatisfied?—A. Yes, sir.

Q. And this order of outlawry was applied to all Filipinos in arms at a certain time. Was that your understanding?—A. Yes, sir. Filipinos that were out—

Q. It included Aguinaldo and all the rest of them?—A. Yes, sir.

Q. You say that the failure to carry that into effect had a bad effect on the army. How did it show itself?

Senator ALLISON. He said on the Filipinos, did he not?

The WITNESS. No; on the army, on our army.

By Senator PATTERSON:

Q. How did the bad effect show itself?—A. Our soldiers were not satisfied.

Q. And when did it cause them to do anything, to act in any way as the result?—A. I think it had a tendency to make the soldier more

harsh with the natives, because they were continually talking against us, saying we did not do, we did not carry out our word.

Q. And did the soldiers regard the natives as outlaws?—A. We could not regard them as outlaws because the order was put off.

Q. Did they regard them as men who ought to be made outlaws?—A. Yes, sir.

Senator ALLISON. That is, they were dissatisfied because the order was not executed?

The WITNESS. Yes, sir; that is it.

Senator CARMACK. What do you mean by "outlaws?"

By Senator PATTERSON:

Q. Yes, what do you understand by an outlaw in the sense you are now using it, referring to the natives and the Filipinos as people who ought to be made outlaws?—A. I mean this: That all natives who had come in and sworn allegiance to our Government were to be considered different from those natives who still were in the field.

Q. You understand that when men are outlaws that those who are enforcing the law, and regarding the law, and law abiding, have a right to go out and dispose of them as they see fit?—A. That is my inference of the order.

Q. And when that was not carried out you say it made them very much dissatisfied?—A. Yes, sir.

Q. And harsher toward the natives, and that was the result?—A. It has that tendency, I think.

Q. Now, where were you at that time that this order was made and when was it made?—A. I was in Manila. I think at this exact time I was a clerk in the commissary.

Q. What year was that?—A. 1899.

Q. How were the Filipinos who had not taken the oath of allegiance treated by the army whenever they came across them?—A. If I understand your question, the order was prolonged and put off from time to time until we could not consider them as outlaws.

Senator ALLISON. That is, it never took effect?

The WITNESS. Yes, sir.

Senator ALLISON. The order never took effect.

Senator PATTERSON. I understand that. It made the army dissatisfied because it did not take effect.

Senator BEVERIDGE. They wanted to go for the outlaws?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. Was there a discrimination in the treatment accorded to those who had taken the oath of allegiance and those who had not taken the oath of allegiance?—A. I can not say as to that.

Q. Was there apparently much effort to discriminate as between those who had taken the oath of allegiance and those who had not?—A. There did not seem to be.

Q. You speak of orders from the officers to treat Filipinos kindly; but the officers did not object to your going into Filipinos' houses when the soldiers were hungry and getting food. How would they go about that?—A. Usually the officer was not around, and they would walk right in and help themselves to anything that was to be had.

Senator ALLISON. They would take a chicken if it was available?

The WITNESS. Yes, sir.

By Senator PATTERSON:

. I understand that. But to do this was against the order of the
er. was it, or against the spirit of the order as they understood

. A. We looked upon it as being against the spirit of the order.

. How common was this going into Filipino houses and helping
rselves, how common on the part of the soldiers?—A. I think it
quite common. It was quite common with us, I know.

Senator CARMACK. Didn't I understand you to say a while ago that
officers did not object to that?

he WITNESS. I never heard of one objecting.

Senator PATTERSON. Was it common knowledge that this was done?

Senator DIETRICH. Were there any officers there to object——

he WITNESS. But understand me, that we thought they would
et had they been around, and so we usually did those things when
were not around.

By Senator PATTERSON:

. I believe you stated that you saw the water cure. When was
?—A. I don't know the exact date, but sometime during my last
months in Batangas.

. 1901? A. Yes; while I was serving in Batangas.

. How often?—A. I saw one case. It was not very hard.

. Who was it?—A. A native.

. Do you recollect what commission he held or what his calling
or anything of that sort?—A. I just came up as they were finish-
with him, and he was scared. They had put the canteen in his
th and some water ran down his throat; I don't know how many
eens before they had put into him.

. Did they get what they wanted?—A. Yes; I think so.

Senator ALLISON. What did they want?

he WITNESS. Guns.

By Senator BEVERIDGE:

. Did they find them? A. A few, I think. We usually did when-
we scared the natives.

. After they got the water cure you got the guns?—A. Yes, sir.

By Senator PATTERSON:

. You have described another method of getting information, and
was getting a group of Filipinos and demanding of some one of
n that he tell what you wanted to know, and if he would not tell, to
him behind a building and shoot a gun off around there, so as to
te the impression upon those that were left behind that this man
had been taken behind the building had been killed?—A. Yes, sir.

. And how often did you see that system?—A. I saw it one Sunday
noon. We were out scouting for Malvar's army and we ran across
enemy's pack train of about 44 horses and 20 men, or something
that. Before we had arrived where we captured this train we
d one of their outpost men—captured one of them— and this fellow
taken back to the rear and the gun was fired off to scare him. No
rmation was received from him. He would not tell. He said he
ld not tell if they killed him.

. Did they try it upon any of the others?—A. It seems to be quite
mon method; they used any means possible——

Q. What other means have you seen used to get information that you wanted?—A. I have seen a market and part of a city burned.

Q. Where was that?—A. At Bauan.

Q. Where is that?—A. In Batangas Province.

Q. How large a city was that?—A. I don't know the population.

Q. About how large; what would you judge was the population under normal conditions?—A. I should judge that there were between 10,000 and 15,000 people.

Q. Now tell us about that.—A. That has reference to this story that I was relating the other day in regard to Thomas, the native boy, whom they looked upon as a traitor.

Senator BEVERIDGE. And whom they murdered?

The WITNESS. Yes; whom they murdered.

By Senator PATTERSON:

Q. Go right along and tell us all about it.—A. Can I commence at the first?

Q. We have got that part.

Senator BEVERIDGE. Give the part you did not tell.

By Senator PATTERSON:

Q. With reference to the burning of the town; what led up to it and how it occurred.—A. Thomas was murdered on Saturday morning. We rushed down in the market and captured four men, and in fact there were nearly two hundred in the market at the time doing their morning trading. I was one of the men who captured these. All of these people knew about this murder, because it had been committed right in the open in the market.

Q. Go right along.—A. When Thomas started to go up in front of our quarters the natives all followed him up the road. These four men that we captured, when we got them up to the dead body of Thomas, we told them to look at the body and see whether they had murdered the boy. They would not do it, and the soldiers of the place began to kick them and beat them, I among them, and tried to get them to tell, tried to get any of them to tell, and not one out of a hundred there would tell, showing that they were all against us. The captain of my company and the major of that city, the major of the detachment that was there, one company of cavalry, remembered that I was stationed with 30 men down below.

As I have stated, I was down next to the wharf. The city of Bauan is some half a mile from this—yes, nearly a mile from this detachment. The way I happened to see this, I was going up and passed by the market at the time that Thomas came up and fell in the road. So I really at this time was with the detachment below, but was up there with the company that morning. As I said before, I was with this detachment of 30 men. I don't wish to be misunderstood. We took these four men up to the prison and tried to get the women in the market to tell. Not one would tell. The captain told them that we would have to burn the market and town if some one didn't tell who had murdered this boy, and this didn't seem to do any good. And the next day at 10 o'clock he gave them another chance, and they would not tell then. In fact, he gave them several chances from that time until 12 o'clock, and they would not tell. At 12 o'clock we set the market on fire, and there was a heavy wind, and it blew over and destroyed quite a portion of the city.

Q. How much of the city did it destroy?—A. About a third of it, I could think.

Q. Did I understand you to say that you discovered while you were there that Filipinos were being imprisoned for offenses such as passing counterfeit money, and those high in authority would not be?—A. I do, sir.

Senator ALLISON. I want to understand that also.

(The last question and answer were repeated by the stenographer.)

By Senator PATTERSON:

Q. You cite as an instance the undeniable fact that the officers of the Bank of Hongkong had passed two counterfeit dollars on you?—A. Yes, sir.

Senator BEVERIDGE. The “undeniable fact” is your own language. “Passed off” has a criminal meaning.

The WITNESS. I got the money.

Senator PATTERSON. Did you say it was understood, or reported, that this bank was passing out counterfeit dollars?

The WITNESS. Natives had told me while I was walking past——

Senator BEVERIDGE. Mr. Chairman, this testimony now involves the honor of a financial institution——

Senator DIETRICH. And the judges——

Senator BEVERIDGE. And the judges, and if the Sergeant can name anybody that told him, that, under the rule heretofore laid down, would be admissible. He testified to the fact himself; that, of course, is admissible for what it is worth; but as to the general statements going natives about the criminal operation of this financial institution and its officers, I think, unless he can name the people who told him, that it should not be admitted.

Senator PATTERSON. He testified in response to your questions, Senator, that he had understood that this bank was passing out these counterfeit dollars. Did you not?

The WITNESS. I did.

Senator DIETRICH. That is from hearsay?

The WITNESS. The natives had told me——

Senator PATTERSON. Then he tested it by exchanging a \$20 gold piece and getting two bad dollars in return?

The WITNESS. Two bad dollars; yes.

Senator DIETRICH. And in your testimony you also stated that the reason you could not prosecute them was that the Spanish law was such that you had to commence proceedings within twenty-four hours, that the twenty-four hours had elapsed, and consequently you could not bring proceedings against the company under the law.

The WITNESS. That is what the captain told me.

By Senator BEVERIDGE:

Q. Do you personally state that the Hongkong and Shanghai Bank-Corporation is engaged in the criminal passing off of counterfeit dollars?—A. I only have those two evidences myself——

Q. Do you state that? Read the question.

(The question was repeated by the stenographer.)

The WITNESS. Understand me, there was an order——

Senator BEVERIDGE. Read the question again, Mr. Stenographer.

(The question was repeated by the stenographer.)

The WITNESS. I wish to tell this Senator that there was an order

issued that men who passed counterfeit money were to be arrested, and we had arrested two natives.

Senator BEVERIDGE. You have not answered the question.

The WITNESS. I will answer it. And that I took money there and received \$2. You can call it passing if you want to, but I received two bad dollars.

Senator BEVERIDGE. Please read my question again.

(The question was repeated, as follows:)

Q. Do you personally state that the Hongkong and Shanghai Banking Corporation is engaged in the criminal passing off of counterfeit dollars?

Senator BEVERIDGE. Think that over before you answer it.

The WITNESS. I will think that over another day or two.

Senator BEVERIDGE. I want the question answered.

The WITNESS. Will you compel me to answer it?

Senator BEVERIDGE. No; I won't compel it.

The WITNESS. Then I won't answer it.

By Senator PATTERSON:

Q. You made a statement to the effect that the whole tendency of the conduct of the American Army is to make the men dissatisfied; that war is hell, and the men propose to give the Filipinos hell?—A. I did, sir.

Q. Explain what you mean by that.—A. I mean this: That the men have become dissatisfied with this putting-off business.

Q. Yes.—A. And that if the authorities will not stop this war, they will.

Q. What do you mean by the soldiers proposing to give them hell? What do you mean by that; what evidence have you of it?—A. I have evidence that war is hell.

Q. What do you refer to?

Senator CARMACK. The Senator from Colorado wants to know what hell is.

By Senator PATTERSON:

Q. What do you mean by "They propose to give the Filipinos hell?" Just say what you mean, and what evidences have you that they propose to do it, or have done it beyond ordinary warfare.—A. Well, we understand over there among the soldiers of the Army that war is hell, and that we are given a gun and ammunition to use and not to preach the gospel with.

Q. Well, being given a gun and ammunition to use, what do you know about the usage of the gun and ammunition outside of regular warfare, if anything?—A. Well, that is a pretty good question. Can I hear it again?

(The stenographer repeated the question.)

A. (Continued.) Senator, I know this: I never used a gun and ammunition for any purpose like killing men before I entered the Army; I am not a desperado.

Q. Not at all; but what I want to know is this: Of course when you entered the Army you knew that you would be furnished a gun and ammunition and when you met the armed forces of the enemy that you would use the gun and ammunition?—A. Yes, sir.

Q. In battle you would use them? A. Yes, sir.

Q. What I want to know is whether there are cases to your knowl-

edge where they have been used otherwise than in open, honorable battle. That is what I have reference to. I think you can discriminate whether you have knowledge of anything of that kind.—A. Senator, I have never noticed a case where a man was shot without a cause. Does that answer your question?

Q. What do you mean by without a cause? I would like you to particularize. Be perfectly frank and open with the committee, Mr. Boardman.—A. May I state an example?

Q. Yes; give us an example. It is perfectly fair that you should.—A. Any natives that appeared to be friendly I didn't think it was our duty to shoot, and the same with all the soldiers. It was not humane to shoot a man who appeared to be friendly.

Q. How was it if he did not appear to be friendly?—A. Then if he was trying to get away and had a gun in his hand we usually shot him.

Q. Suppose you found him running away without a gun in his hand?—A. I never saw one shot——

Q. I am asking you——

The CHAIRMAN. Let him answer.

Senator ALLISON. He says he never saw a case of that kind.

A. (Continued.) No; I never saw a case of that kind.

Senator CARMACK. What do you mean by saying that the soldiers thought war was hell, and that they were dissatisfied with the eternal putting off? There was no complaint on the part of the officers there against killing men engaged in warfare?

A. I don't understand that there was.

Senator BEVERIDGE. You stated this putting off had reference to the orders issued by General Otis in regard to the time when those in arms against the United States would be considered outlaws.

Senator CARMACK. Yes; I remember that now.

By Senator PATTERSON:

Q. Why do you make this statement: "It is the unwritten law that one soldier shall not talk against another soldier, and I am a soldier?" A. I make the statement because a man who has been with his comrades for three years through the privations of war would be considered a pretty low man who would come and testify against that comrade.

Q. Is that fact operating in your mind now—that unwritten law?—

A. Not very much, sir; I may say not at all; but I do not wish to involve any of my comrades in — —

Q. Whom do you understand by your comrades? A. Men who fought with me.

Q. Your company or regiment? A. Yes; my company and my regiment; usually not so much the officers as the men. There is a great tendency among the boys to abuse officers, because they think they are parties in the prolonging of this struggle.

Senator CARMACK. What is the feeling in the Army with respect to the civil government there—the Commission?—A. Soldiers do not like Governor Taft; they like General Chaffee. There seems to be a kind of a division between General Chaffee and Governor Taft.

Senator BEVERIDGE. What was that question?

(The stenographer repeated the question and answer.)

Senator BEVERIDGE. In view of Governor Taft's testimony, I think that is highly improper and discourteous, that the witness should make

the statement that there is a division between Governor Taft and General Chaffee.

Senator PATTERSON. He was speaking about the feeling in the Army.

The WITNESS. That is a feeling in the Army.

Senator DIETRICH. He was simply speaking of the feeling among the soldiers; that is all.

Senator CARMACK. Yes; that was his statement.

By Senator CARMACK:

Q. Is there a pretty general feeling in the Army in respect to Governor Taft and the Philippine Commission?—A. Yes, sir.

Q. They dislike the civil government?—A. Yes, sir.

Q. Is that an object of pretty general comment among the soldiers and officers?—A. Yes, sir; they look upon Governor Taft as a superfluity, and his Commission, too.

Q. You say that is a subject of pretty general comment among the soldiers and officers?—A. Yes, sir.

Senator BEVERIDGE. A \$20,000 superfluity?

The WITNESS. Yes; each one.

By Senator BEVERIDGE:

Q. A superfluity to any extent they are in power. The civil government is taking the place of the military government, is it not—it is taking the power into its own hands instead of the military having the power, is it not?—A. I do not think it is pacifying the Tagalo people.

Q. That it is not the question; you can testify about that later. The question is: It is taking the place of the military government, is it not?—A. In the provinces like Ilocos Norte, where the Macabebes are, and Pangasinan.

Q. In the pacified provinces, so called, it is taking the place of the military government?—A. I think it is, to some extent.

Q. And it is laid out that the civil government's constabulary shall take the place of the Army?—A. It is; yes, sir.

Q. And the work and authority you formerly exercised in the Army is now to be exercised by the civil government, at the head of which is Governor Taft?—A. Yes, sir.

Q. That explains the feelings you speak of to the extent it does explain.

(No answer.)

Senator DIETRICH. If the civil government continues in taking charge of province after province, which they are doing, will it not be much less expensive for the Government of the United States to have the civil government, even though the officers under it receive large salaries, than to continue the Army in control there?—A. I think it would if we had our Constitution there.

By Senator BEVERIDGE:

Q. We will not enter into any constitutional argument with you.—

A. I understand it, however.

Q. I have no doubt that you are a thorough constitutional scholar.

Senator PATTERSON. Every intelligent American knows what the Constitution is.

Senator BEVERIDGE. It is perfectly clear that, whatever else a man may not be competent to do, he is competent to discuss the most vexed constitutional question.

By Senator BEVERIDGE:

Q. Concerning the burning of the town; you said that they would not tell who murdered that boy when they were told that if they did not tell you would burn the town?—A. Yes, sir.

Q. You have said before several times that by reason of our inactivity in executing the orders against the outlaws people had come to believe that we did not mean what we said we meant?—A. I think this was a good example of that—

Q. Take one point at a time. So you think that the people there did not believe that we would do what we said we would?—A. Yes; that is right. I have made a statement as to that before; that the burning of this town saved the lives of our soldiers.

Q. The can of salmon that you exhibit to us here you brought from Manila?—A. Yes; I did.

Q. I see it has never been unsealed.—A. I never unsealed it.

Q. It never has been unsealed, as a matter of fact?—A. I don't know what it has.

Q. The can of porridge has been unsealed and then the lid bent down. You carried those with you from the Philippines to the United States?—A. I did, sir.

Q. Did you come with your regiment on a transport?—A. No, sir; I did not; I would not accept the transport route.

Q. You would not?—A. No, sir.

Q. You demanded of the Department, did you not, that you should be sent home separately, and that the Department should pay your expenses home?—A. No, sir; I did not.

Q. Have you a claim against the Department now?—A. I have, sir.

Q. What is that claim for?—A. It is here in my pocket.

Q. What is it for?—A. For transportation from Manila to San Francisco.

Q. By what lines of steamers?—A. I suppose it is Government transports.

Q. Did you pay your way home?—A. Yes, sir.

Q. You could have come home with your company or regiment on regular transport?—A. No, sir; I was discharged in Manila. I had to come in any old thing.

Q. In any old thing? Yet the Department declined to pay your claim or allow it?—A. They have. I have my papers.

Q. You have presented a claim for this transportation?—A. Yes, sir.

Q. And the Department has not allowed it?—A. They have not allowed it.

Q. Did you make a demand of the Department for the payment of your transportation home before you left Manila?—A. I did not think about that.

Q. Did you make a demand from the Department there that you should be sent home and your expenses paid?—A. No, sir.

Q. You made no request of that kind?—A. No, sir. I saved my money to travel home by way of the Suez Canal; I wanted to see the world. So I paid my own way home, supposing that this would be good when I arrived in Washington.

Q. And now you have asked the Department to pay your expenses home while you were seeing the world, and the Department has declined to allow your claim, has it not?—A. Yes, sir.

Q. Do you mean to say that you made no request of any of your

officers or anybody in Manila before you started that you should be sent home in this or any other way and your expenses paid?—A. I didn't want to make any.

Q. But did you, as a matter of fact?—A. Certainly not; I did not want to come that way.

Q. I mean any way. Did you make a request of any officer or anybody in authority there that you should be sent home the way you did come, or any other way, and your expenses paid?—A. I went down to the major and I asked him if I could come by a transport going by way of the Suez Canal, and he told me that I would have my transportation and that I could get all information at Camp Wallace.

Q. Where is Camp Wallace?—A. At Luneta.

Q. And did you go there?—A. I was stationed there.

Q. Did you receive your transportation at Camp Wallace?—A. I didn't try for any more transportation because I wanted to come home by way of the Suez Canal.

Q. But when you went to this major and he told you to go to Camp Wallace to see about your transportation, did you do what he told you to? You wanted transportation home?—A. I wanted it home by way of the Suez Canal, and if the Government would take me that way I was willing to accept it.

Q. And you asked for it?—A. Yes, sir.

Q. And they declined to give it to you?—A. Yes, sir.

Q. And then you came home on your own account?—A. Yes, sir.

Q. Bringing this can of salmon and box of porridge along with you?—A. That can of salmon was my last day's ration.

Q. Bringing them with you?—A. Certainly; I suppose I brought them with me. What is the use of that question?

Q. That is not for you, my friend; you are testifying. And then after all these occurrences you presented your claim at the Department and it was refused; that is a fact, is it?—A. I have never been paid.

Q. You have been refused; you have been declined?—A. I have papers to show that I have been declined; yes, sir.

Thereupon, at 12.15, the committee adjourned until Thursday, May 15, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Thursday, May 15, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman and Senators Beveridge, Dietrich, Rawlin, Culberson, Dubois, and Patterson.

The CHAIRMAN. Here are some other documents from Governor Taft which I will have printed in the record:

WAR DEPARTMENT,
Washington, May 13, 1902.

SIR: I have the honor to transmit herewith a copy of a letter from Governor Taft inclosing ten documents which he desires presented to your committee.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,

*Chairman Committee on the Philippines,
United States Senate.*

WASHINGTON, D. C., *May 9, 1902.*

. ELIHU ROOT,

Secretary of War, Washington, D. C.

R: I beg herewith to request that the following documents, papers, and correspondence be transmitted to the Senate Committee on Philippines:

1st. Correspondence between the acting civil governor, Governor Grant, of Leyte, and military officers with reference to arrest of presidentes and others and the withdrawal of troops from the province of Leyte by the military authorities, involving the question of jurisdiction of civil and military authorities in provinces organized under civil government. Also further correspondence as to trade restrictions.

2nd. An estimate of the receipts and expenditures of the city of Manila for the fiscal year ending June 30, 1902, prepared by C. H. Cooper, formerly city assessor and collector and now a member of the principal board of Manila.

3rd. An estimate by the same person of loans which ought to be made by the city of Manila and the purposes thereof.

4th. A list and description of the real estate and buildings in the city of Manila used and claimed by the Army.

5th. Protest of the Philippine Sugar Estates Development Company, Limited, against the sale of their possessions to the Government, accompanied by reports regarding the value of the lands.

6th. Papers showing the discussion as to the exclusive right of Banco Espanol Filipino to issue circulating notes in the Philippine Islands.

7th. Report of David P. Barrows, chief of the bureau of non-Christian tribes for the Philippine Islands.

8th. The annual report of the governor of Cavite.

9th. The annual report of the governor of Benguet.

10th. The annual report of the governor of Ilocos Sur.

Very respectfully,

WM. H. TAFT.

RESPONDENCE BETWEEN ACTING CIVIL GOVERNOR, GOVERNOR GRANT, OF LEYTE, AND MILITARY OFFICERS, WITH REFERENCE TO ARREST OF PRESIDENTES AND OTHERS AND THE WITHDRAWAL OF TROOPS FROM THE PROVINCE OF LEYTE BY THE MILITARY AUTHORITIES, INVOLVING THE QUESTION OF JURISDICTION OF CIVIL AND MILITARY AUTHORITIES IN PROVINCES ORGANIZED UNDER CIVIL GOVERNMENT. ALSO FURTHER CORRESPONDENCE AS TO TRADE RESTRICTIONS.

[Telegram.]

TACLOBAN, *October 19, 1901.*

GUSMAN, *Manila:*

Am informed by military authorities that the presidentes of Pinunian and Villaba have been arrested. Those of Malitbaga and Maligon, island of Leyte, Catuba, Biliran Islands of Biliran, are to be arrested for aiding insurgents.

GRANT, *Governor.*

MANILA, *November 18, 1901.*

GRANT,
Governor, Tacloban, Leyte:

Referring to your telegram October 19 regarding several presidentes, what action have you taken?

FERGUSSON,
Executive Secretary.

TACLOBAN, *November 19, 1901.*

FERGUSSON, *Manila:*

Have the certificates of General Smith to the effect that all presidentes arrested in Leyte and Biliran are held as prisoners of war and have been sent to Cathalogan, Samar. Vice-presidentes instructed to assume the duties of presidente.

GRANT, *Governor.*

Report of J. H. Grant, provincial governor of Leyte, on existing conditions in his province, together with exhibits accompanying same.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 26, 1901.

A. W. FERGUSSON,
Executive Secretary, Manila, P. I.

SIR: In view of the recent occurrences in this province and our proximity to the island of Samar, where there is so much military activity just now, which necessarily affects the administration of civil government here, I deem it my duty to make a brief report of existing conditions in this province, for the information of the civil governor.

Unfortunately for the peace and tranquillity of the people of this province, the military authorities here have sustained a severe fright, since the Balangiga affair, and have done many things that are calculated to hinder the progress of civil government, and make the people inquire what benefits they are to derive from civil government. I will mention the most important of these in this report:

Immediately after the receipt of the news of the massacre at Balangiga the military authorities began patrolling the town from about 1 o'clock p. m. until the next morning, challenging and arresting every one who could not satisfy the patrol that they were good men. On the night of September 30 a sentry shot and instantly killed a man who did not hear, or at least did not heed, his challenge. Of course the people do not understand why these things should take place under civil government. I inclose correspondence covering this incident marked "A."

Following this, on the afternoon of the 9th instant, orders were sent out from district headquarters direct to the presidente, so he says, to arrest and take to the tribunal every man in Tacloban who came from Samar. The result was that 150 men were rounded up, without warning or other process, and subjected to some kind of an investigation which, being incomplected at a late hour at night, quite a number of them were confined until next morning, when the investigation pro-

needed and all of them were then given their liberty except six. I inclose correspondence covering this incident also, together with a list of the names of those arrested.

I have given the presidente to understand that he must, in future, submit all such orders to me before he acts on them. You can imagine the excitement such a wholesale rounding up would create, and rumors of deportations and hangings were in the mouths of every little group of people on the street corners.

Following this came the order that no boats, except steamers, could pass through the straits in either direction. This order, while it is perhaps a wise one from some points of view, is unfortunate, as it necessarily entails suffering on the inhabitants of the straits, northern Leyte, and Biliran towns, since they are dependent upon Tacloban and Carigara for supplies, and to a certain extent lessens their appreciation of civil government. I wish to say in this connection that I have had application from nearly all of the presidentes in the above-mentioned territory, asking for troops or guns to protect themselves against the insurgents of Samar, which requests have been transmitted to the military, pending the organization of the insular constabulary, and I believe if they had been furnished protection that they would have resisted the demands of the Samar people; but, with not a gun or revolver in their town, it was equivalent to being held up by highwaymen, when armed insurgents came into the town and made demand for food and money.

I particularly regret the arrest of the presidente of Balatngan, for I believe he is an excellent man, and he told me he was afraid the insurgents would murder the town officials and burn the town if they were not furnished protection.

I inclose herewith a list of the names of the people recently arrested by order of the department commander. They are now in confinement at Carigara as military prisoners.

The commanding officer in Tanauan recently issued an order to the effect that the people there could not hold a certain church festival unless they agreed not to have the procession beyond the church plaza. I was appealed to and forwarded a communication to the department commander requesting that the commanding officer at Tanauan be instructed to permit the people to hold their festivals according to their customs, but have not yet received a reply. In the meantime I informed the presidente of my action, and assured him that he would be permitted to celebrate the feast without interference, but there was so much pressure brought to bear on him that he postponed the celebration of the feast until the 8th of December. I inclose copy of letter covering this.

I am informed that a detachment from Tanauan recently fired into a party of laborers from Dagami, killing one and wounding two, according to military reports, but I think there were more men wounded. This happened in the daytime, and the soldiers were commanded by an officer, and from all the information obtainable was purely a case of nervousness on the part of the officer in charge. I am having an investigation made.

I am just in receipt of the election returns from Malitbog, which show that Lieutenant Macklin acted as chairman of the election judges in the election recently held there for municipal officers. I inclose correspondence covering same.

I inclose correspondence between Lieutenant Conger, aid to General Hughes, and myself, which is self-explanatory.

I also inclose copy of telegraphic report of Lieutenant Macklin, and letter from Lieutenant Adams, explaining the cause of the arrest of the presidente of Hinundayan and the presidente and vice-presidente of Villaba.

I am satisfied that these men were actually aiding the insurgents while holding office under the civil government, and I have already requested information, in a former communication, as to what court has jurisdiction in these and similar cases.

I herewith inclose copy of order, No. 28, in reference to people passing between the two islands, which I have caused to be communicated to the presidentes of the towns, with the request that it be published in each town.

I desire to say in conclusion that there has not been the slightest friction between the civil and military authorities here, and that our relations are perfectly friendly, but I can not permit such acts as I have enumerated to pass unnoticed, and I have asked for explanations in order to lay the facts before the civil governor, realizing that the adjustment of such questions should be referred to the heads of the respective departments. I will say, however, that it is the opinion of every insular and provincial officer here that with the aid of the constabulary this province is able and ready to maintain civil government, unaided by the military.

I mail under separate cover recommendations of the provincial presidentes, who met in Tacloban on the 21st instant, with the action of the provincial board on the same.

Respectfully submitted.

J. H. GRANT, *Governor.*

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 1, 1901.

COMMANDING OFFICER, FIRST VISAYAN DISTRICT,
Tacloban, Leyte.

SIR: I have the honor to request a report on the killing last night, by a sentinel on duty near provincial headquarters, this city, of Jorge de la Cruz, native of San Joaquin, Palo, who it was claimed was a watchman on board a "balandra" from Palo.

I also request your opinion as to whether or not said killing was the result of legitimate execution of military orders issued by the commanding officer of the military post in this city for the preservation and protection of lives and property of the inhabitants of said city and military post.

Very respectfully,

J. H. GRANT, *Governor.*

HEADQUARTERS FIRST DISTRICT, DEPARTMENT OF THE VISAYAS,
Tacloban, October 4, 1901.

Capt. WILLIAM WEIGEL,
Acting Assistant Adjutant-General, Tacloban.

SIR: I have the honor to make the following report on the killing of a native by the sentry on the wharf on the night of September 30, 1901. I was officer of the day on the night in question, and about 10 o'clock p. m. was informed by the sergeant of the guard that the sentry on the wharf had shot a man. I proceeded at once to the wharf and found a native had been shot through the breast and was lying under cover on the wharf. He died a few minutes after my arrival. I investigated the matter at once and found that the sentry on post was Private Daniel C. Box, unassigned, Eleventh Infantry (now Company L); the man was a native about 21 years of age; that he was approaching the sentry rapidly, and the sentry called out

to halt in a loud and imperative tone three separate times; that the native continued to approach him rapidly without slackening his pace, and the sentry then shot him, hitting him and killing him. After a thorough investigation of the ground, the circumstances and questioning the sentry I became so thoroughly convinced that the sentry had acted solely in the line of duty, and that the native had heard and, either through bravado or belief that the sentry would not shoot, had disregarded the challenge and had continued to advance, that I did not relieve the sentry in his post. The sentry has been in the service about four years, and has seen service in the Philippines since June, 1899, in Panay. I was unable to ascertain the native's name. The body was properly taken care of by the Medical Department and turned over to the civil authorities for burial.

Very respectfully,

FRANK L. WELLS,
Captain and Commissary, Eleventh Infantry.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 11, 1901.

COMMANDING OFFICER FIRST VISAYAN DISTRICT,
Tacloban, Leyte.

SIR: I have just been furnished by the presidente of Tacloban with a list of the names of 150 inhabitants of the city of Tacloban, which is hereto attached, who were arrested and carried to the tribunal on the 9th instant, as I was informed, by the verbal order of the acting assistant adjutant-general, first district of the Department of the Visayas, some of whom were detained over night, and 6 of whom, I understand, are still in confinement.

I have the honor to request information as to the cause of said arrests, together with the nature and character of the charges against the 6 men still in confinement. Please return list.

Very respectfully,
[List of 150 names accompanies this letter.]

J. H. GRANT,
Governor.

HEADQUARTERS FIRST DISTRICT, DEPARTMENT OF THE VISAYAS.
Tacloban, October 12, 1901.

MR. J. H. GRANT,
Governor of Leyte, Tacloban.

SIR: Referring to your letter of even date about the arrest of 150 inhabitants of the city of Tacloban, and requesting information as to the cause of the arrests and character of the charges against 6 men still in confinement, I have the honor to state as follows:

Since the affair at Balangiga it has been reported that a great number of people from Samar have come to Leyte. On Thursday morning the presidente of Tacloban, who was in my office, was asked to round up those people from Samar who had lately come to Leyte, in order that any from Balangiga might be discovered should they be in the lot. It was not the intention to molest those who had been here for some time.

When the presidente said he had those people from Samar at the tribunal an officer was sent to investigate them, and all were allowed to go home that night except a few who were retained as they had so recently come from Samar. All of them were released yesterday morning except 6, 5 of whom had recently come from Leyte, and the other from Santa Rita. These have been released on their taking the oath of allegiance.

Referring to the list of 150 inhabitants of Tacloban who were held at the tribunal for investigation, it is respectfully submitted that 96 of these persons have come from Samar since the ports have been closed; that is, since and including May last, though since that time Samar has been supposed to be absolutely closed, and no one allowed to leave or enter there without orders from the proper authorities. It is not the intention of the military authorities on this island to interfere with the civil government in any way, but merely a precaution taken by the military in order that insurgents from Samar could not shield themselves under the cloak of the civil government of Leyte.

The list is returned herewith.

Very respectfully,

J. S. BATTLE,
Captain and Adjutant, Eleventh Infantry.
A. A. A. G., in absence of District Commander.

HEADQUARTERS FIRST DISTRICT, DEPARTMENT OF THE VISAYAS,
Tacloban, October 18, 1901.

Hon. J. H. GRANT,
Governor of Leyte, Tacloban, Leyte.

SIR: I have the honor to inclose herewith copy of telegram from the judge-advocate of the department, giving the names of persons whom the department commander desired arrested, reference had to my conversation with you of yesterday.

Very respectfully,

J. S. BATTLE,
*Captain and Adjutant Eleventh Infantry,
 A. A. A. G., in absence of District Commander.*

[Telegram.]

CATBALOGAN, *October 18, 1901.*

BATTLE, *Tacloban.*

Replying to your telegram, will state that the people indicated in the work mentioned in my telegram of yesterday are as follows: Malibego, Jose Pepe, at Babatagan; the local presidente, at Napal, Melicio Conye, at Caibiran; Vibanas, at Culaba; Cervacio Abanida, at Mapujo; Teniente Pio, at Cayuanan; Andres Bernados, at Almeria; Catalino Edico, at Biliran; Manuel Nerras, and at Carigara, Hermenihild Rosales and his son Francisco Rosales.

GLENN.

A true copy.

J. S. BATTLE,
Captain and Adjutant Eleventh Infantry, A. A. A. G.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 18, 1901.

COMMANDING OFFICER, FIRST VISAYAN DISTRICT,
Tacloban, Leyte.

SIR: I have the honor to inclose herewith a copy of letter from Padre Veyra, of Tanauan, addressed to the secretary of the provincial board, saying that the commanding officer at Tanauan had issued orders restricting the celebration of a certain feast in that town to certain parts of the town, and I respectfully request that the commanding officer of Tanauan be requested to permit the people to celebrate their religious festivals according to their customs.

Very respectfully,

J. H. GRANT, *Governor.*

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 26, 1901.

SIR: I have the honor to inclose herewith the election returns from the town of Malitbog, Leyte, which shows that First Lieut. Edgar A. Macklin has constituted himself chairman of the election judges in the election recently held in that town for the election of municipal officers, and I respectfully request that Mr. Macklin be informed that he was acting entirely without his province in thus constituting himself the chairman of the election judges, and has thereby rendered said election null and void.

Please return inclosure.

Very respectfully,

J. H. GRANT, *Governor.*

Gen. J. H. SMITH,
Commanding First Visayan District, Tacloban, Leyte.

HEADQUARTERS FIRST DISTRICT, DEPARTMENT OF THE VISAYAS,
Tacloban, October 28, 1901.

SIR: I have the honor to return herewith the election returns of the town of Malitbog, Leyte. Lieutenant Macklin will be instructed not to constitute himself chairman of election committees in the future.

Very respectfully,

J. S. BATTLE,
*Captain and Adjutant Eleventh Infantry,
 A. A. A. G. in the absence of District Commander.*

Hon. J. H. GRANT,
Governor of Leyte, Tacloban.

TACLOBAN, October 10, 1901.

Capt. J. H. GRANT,

Governor of Leyte, Tacloban, P. I.

SIR: I have the honor to invite to your attention the smuggling of rice into the island of Samar across the straits of San Juanica, which has been going on for some time past. This has been done in three ways. First, by boats clearing for northern ports from Tacloban, disposing of all or part of their cargo in passing through the straits, and similarly by boats passing south through the straits cleared from northern ports.

Second. By boats cleared for Tacloban by presidentes of barrios and unoccupied pueblos along the straits, and on the north coast of the island, disposing of their cargoes in passing through the straits as above.

Third. By small boats passing between the islands, without license, clearance, or permission.

I have been informed by General Hughes that orders covering the first instance have been issued by the customs authorities, but in the second instance mentioned I am informed by the inspector of customs at this port that an order by yourself as governor would cover the case, and therefore request on behalf of the department commander that you issue such an order under the exigencies of the campaign on Samar, to assist the military department in its work of restoring the island of Samar to a condition of peace. Should this meet with your approval, I respectfully request to be informed of your action, that the military and naval authorities may be properly informed and cooperate in carrying out your order.

The third instance mentioned can, of course, only be prevented by constant vigilance and care by all concerned, but in this connection I desire to invite your attention to the number of large barrios which have recently sprung up on the Leyte side of San Juanica Straits. These I believe to be largely if not wholly populated by natives from Samar, who are engaged in this smuggling trade, as this section of country is not adapted to agriculture, nor are there any other legitimate pursuits there open to settlers, so far as I am informed.

If in any way you could discourage immigration to these points, or induce the people now there to return to Samar or move elsewhere, I believe it would be of great assistance to the military in the settlement of the Samar problem.

Yours, very respectfully

A. L. CONGER,

First Lieutenant, Eighteenth Infantry, Aid-de-Camp.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,

Tacloban, October 11, 1901.

First Lieut. A. L. CONGER,

Eighteenth United States Infantry, Aid-de-Camp.

SIR In reply to your communication of the 10th instant, in which you invite my attention to the smuggling of rice into the island of Samar across the Straits of San Juanica in three ways—first, by boats clearing for northern ports from Tacloban, disposing of all or part of their cargo in passing through the straits, and similarly by boats passing south through the straits, cleared for northern ports; second, by boats cleared for Tacloban by presidentes of barrios and unoccupied pueblos along the straits and on the north coast of the island, disposing of their cargoes in passing through the straits as above, without license, clearance, or permission—and requesting that I issue an order, as provincial governor, covering the second instance mentioned. I have the honor to inform you that the military and customs authorities have exercised exclusive control of this question, and, as I understand it, it is not a question that comes within the province of the provincial governor.

In this connection I desire to assure you that the provincial government will cooperate in every way possible with the military in putting a stop to the traffic which we believe is going on between the two islands across the straits of San Juanica. It is our intention to distribute some of the insular constabulary along the straits as soon as they are ready to take the field.

In reference to your request to discourage emigration from Samar to the province of Leyte, and to induce people of the newly populated barrios along said straits to return to Samar or move elsewhere, I know of no more effective instructions that I could give to the officials of these barrios than those that have been issued by the military authorities in closing the ports of the island of Samar and stopping all communication between the two islands.

If the people of Samar have succeeded in reaching this island and have purchased cedula, and are abiding by the laws of the province, I know of no civil law that would permit my forcing them to change their place of residence.

I dare say that the majority of the people who have succeeded in reaching this island from Samar are thoroughly tired of the struggle on that island, and it seems to me that they can be more easily handled here than they could over there.

The officials of these municipalities and barrios have already received instructions to permit no communication whatever between the two islands, and to arrest anyone attempting to come from the island of Samar to Leyte, or anyone trying to go from Leyte to Samar, and I will renew these instructions, and also those in reference to keeping a close watch on those of their inhabitants whose conduct is suspicious and who have no visible means of support.

I sincerely trust that the island of Samar may be speedily pacified, and to this end it will give me much pleasure to cooperate with the military in every way possible.

Very respectfully,

J. H. GRANT, Governor.

[Telegram.]

MALITBOG, October 12, 1901—8.48 a. m.

ACTING ADJUTANT-GENERAL, Tacloban:

Reference to your telegram of 11th instant, received 11 o'clock this date from Lieutenant Hocker, have the honor to make the following explanation: On the 4th instant I arrested Telespero Sanico, presidente of Hinundayan, and he is now in confinement at this place. Full report has been made in my report to you, submitted through Colonel Myer, of recent hike. The report has not yet left here, as there has been no way of mailing it. The circumstances of arrest were as follows: Before going to Hinundayan I had information that Sanico had been assisting the insurgents in every possible way, especially on last occasion of collection of money for Kapili, made August 26, when 900 pesos were taken from Hinundayan. At this time Capili, Mariano (now my prisoner), collected for Kapili in fifth zone, and 7 rifles, including lieutenant of artillery, were housed and entertained by this presidente. He gave orders to police to assist collection of money, which was done. On my entry to town the drum signals were given announcing the arrival, and when arrested presidente was writing letter to next town informing one Pascual Also that "Americans were coming, send card cedula quickly." This was all that was written when he was arrested. I brought the prisoner here because it would be convenient in case he was desired at Tacloban; also because he was feared by the people. I informed lieutenant of police he was to act during absence of presidente.

MACKLIN, Lieutenant

SUBPOST, PALOMPOX,

Leyte, P. I., September 25, 1901.

The PROVINCIAL GOVERNOR,

Tacloban, Leyte, P. I.

SIR: I have the honor to inform you that on the 19th instant I placed in confinement Luciano Domarie and Hermogenes Tumamag, presidente and vice-presidente, respectively, of the town of Villaba, charged with aiding and abetting an enemy of the United States.

The facts, briefly stated, are about as follows:

On the night of the 17th instant Catalino Capili, insurrecto and leader of a band of ladrones, entered the town of Villaba, accompanied only by a native woman. He had a consultation with the accused, who permitted him to leave town, the presidente ordering two policemen to accompany him.

The following day I entered Villaba with a detachment in quest of the said Catalino and the presidente, knowing at the time that he was in hiding a short distance from town, falsely stated that he had not seen or heard of Capili for about two weeks at which time he had heard that he had passed a certain distant sitio.

The vice-presidente, Hermogenes Tumamag, was, on the 15th instant, elected presidente. In view of the foregoing, I have the honor to recommend that the accused be removed from office and that Hermogenes Tumamag be declared ineligible for the office of presidente.

Very respectfully,

JOHN P. McADAMS,

Second Lieutenant, Eleventh Infantry, Commanding

L. Grant, governor of the province of Leyte, transmits recommendations of the municipal presidentes and letter from the vice-presidente of Babatungon.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 31, 1901.

V. FERGUSON,

Executive Secretary, Manila.

R: I have the honor to transmit herewith recommendations of the municipal presidentes, the same being approved by the provincial assembly.

I also inclose for your information letter from vice-presidente of Babatungon.

Very respectfully,

J. H. GRANT, *Governor.*

[Inclosure.]

RE.—Provincial presidentes should read municipal presidentes.]

Copy of resolutions passed by the assembly of municipal presidentes of the province of Leyte, in Tacloban, on the 21st of October, assisted by the members of the provincial assembly.

The first part of the report consists of the record of mutual congratulations and expressions of good will exchanged at the meeting. The resolutions are as follows:

That in view of the fact that private or personal loans are prohibited the proposal of the governor be accepted, viz, that public works be carried on by means of voluntary contribution of the residents of the pueblo, since the municipal funds are low, distinguishing carefully which public works are to be charged to the municipality and which are to have their cost paid by the provincial treasury.

The construction of provincial buildings of strong materials, suitable for provincial prison, residence of the governor, and provincial purposes.

That in view of the fact that there are only a few insurgents in two or three towns in the south, and these scattered in the mountains, it is not necessary to keep the ports adjacent to Samar, and that until circumstances shall imperatively demand it the island of Leyte should not return to military rule.

That in view of the past elections under the municipal code coming so late in the year, they should hold good to the exclusion of the general elections specified in Act No. 9, letter A.

That the municipal president of this province should be allowed to issue licenses; that is, licenses to cut wood, so as to rebuild the houses destroyed by typhoon and the war. That injustice is done to the majority by the issuance of licenses to a privileged few, as is the case at present. That the cubic foot of lumber is selling at 1 peso.

Adopted in Tacloban on the 22d of October of 1901.

Witnessed by the presidents of Tacloban, Palo, Tanauan, Tolosa, Dagami, Abuyog, San Juan, Pastrana, Alang-Alang, Barugo, Himundayan, Buranen, Cabalian, Marikina, Himunangan, Leyte, San Miguel, and Carigara.

SIMEON ESPINA, *Provincial Secretary.*

BABATUNGON, *October 27, 1901.*

CIVIL GOVERNOR OF THE PROVINCE.

The pueblo of Babatungon has always been peacefully disposed and free from spirit of hostility, both since the establishment of American sovereignty and from that time, but recently its inhabitants have suffered a great deal at the hands of military and naval authorities.

On the 11th of the current month this port was declared closed, and the orders of the authorities in this regard have been carried out scrupulously, and offenders have been turned over to the said authorities, as well as some bales of tobacco. The said authorities have visited the place several times during the last few days, and yester-

day they made several arrests (among which was that of a foreigner) and seizure of boats, some of these latter belonging to persons of undoubted loyalty.

The pueblo does not know what crime it is accused of. Is it that some of the merchants of the place have sold rice to unknown parties and that it has been smuggled over to Samar? But the municipal authorities can not prohibit the sale of rice, nor can they prevent its transportation to Samar if this is made by way of Biliran (island of Leyte). We can assure the Government that none of the boats belonging to this place have touched the shores of Samar since that island was officially declared to be under blockade. Yet sixty-three boats (this being all of them) have been confiscated and taken to Station Rita, without any receipt being given for them.

The president of the pueblo, to whose exertions the surrender of a great many boleros (insurgent bandits) is due, has been seized and conveyed in a gunboat to Carigara.

If the blockade of the port is continued for any great length of time, the people will suffer from famine and poverty.

The cause of peace and order demands that steps should be taken in this matter, but the municipal authorities want to assert emphatically that in any event they will remain faithful and loyal to the authority of the United States.

Very respectfully,

CICENANDO ELIZAGA, *Vice President*

[The document is also signed by seven councilors, two municipal commissioners, and the municipal secretary and municipal treasurer.]

J. H. Grant, governor of Leyte, incloses telegram from Captain Alexander in re the arrest of the presidente of Babatungon, and asks that, if possible, he assist him.

PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, October 31, 1901.

A. W. FERGUSON,
Executive Secretary, Manila, P. I.

SIR: The inclosed telegram, just received, substantiates my assertions concerning presidente of Babatungon.

I inclose for your information.

Very respectfully,

J. H. GRANT, *Governor.*

[Inclosure.]

CARIGARA, *October 31, 1901*

The GOVERNOR, *Tacloban:*

Can you put in a good word for the presidente of Babatungon. I think he was doing all he could under the circumstances, and if you can help him out it would probably do a good deed.

ALEXANDER, *Captain*

OFFICE OF THE GOVERNOR, PROVINCE OF LEYTE,
Tacloban, December 14, 1901.

Gen. LUKE E. WRIGHT,
Acting Civil Governor, Manila.

MY DEAR GENERAL: In explanation of my telegram informing you of the removal of troops from certain towns in this province I take the liberty of writing you a personal letter as to the actual conditions in Leyte and my explanation as to the cause of their withdrawal.

I desire to preface this explanation with the statement that I have cooperated with General Smith in every measure he has adopted, in order that he might not be handicapped in prosecuting to a successful termination his campaign in Samar.

Some of his measures I have thought wholly unnecessary and somewhat prejudicial to the best interests of the people of this province, but have refrained from protesting because of the reasons above assigned and in obedience to your instructions to have no conflict with the military.

So our relations, both socially and officially, have been of the most pleasant nature. Only last Monday evening he and General Breckinridge and their personal staffs were my guests to dinner, and on the following day Mrs. Grant and myself were General Smith's guests aboard his launch on a trip to show General Breckinridge San Juanico traits.

In view of these facts, you can imagine my surprise when I received information on Monday last to the effect that on Saturday previous troops had been withdrawn from Jaro, Alangalang, Dagami, Palo, and Barugo; that the telegraph instruments had been taken from Palo and telephones from Barugo and Dagami, thus cutting off from communication with Tacloban. I immediately went up to see General Smith to find out if the information was correct and to find out if troops were to be withdrawn from any other towns. He referred me to the adjutant-general, who confirmed the report and informed me that troops were under orders to leave Malitbog, Cabalian, Hinunangan, and Carigara. I urged him not to take troops from Malitbog, Cabalian, and Hinunangan, and suggested that they be withdrawn from Dulag and Tanauan instead, and was then informed that within a very short time they would be withdrawn from these towns also, as they were needed in Samar.

I then requested that the troops in the towns in the southern part of the province be left until the last, as that was where Capili and his band were operating. He regretted that it could not be done, because the general did not care to change commanding officers at the point in Samar where he desired reinforcements, and that Lieutenant Macklin at Malitbog was the only commander in Leyte junior to this officer, so he had been selected. I then wired the senior constabulary officer at Bato to place 20 men in Malitbog and return to Tacloban with the remainder of his detachment in order to occupy the towns vacated. He arrived here on the 13th, after having placed a detachment in Malitbog, and all the vacated towns have now been occupied.

Up to the 7th instant the total strength of the constabulary in Leyte was about 70, but on that date 60 were mustered in, so they have about 125 men now, but the 60 just received require instruction and training.

Now as to conditions in this province: I consider them somewhat better than they were when I arrived here; certainly no worse. From all information obtainable Capili and his band, whose armed force I have never heard estimated as consisting of over 40 guns and few bolomen, and frequently much less, are the only people who are still in the mountains and with whom we have to deal.

If he has as many guns as he is reputed to have, they must be in very bad condition. He must have no ammunition or he is very inac-

tive, since I do not know of a single man who has been killed by fire-arms in this province since I have been here, and but one town having been fired on, and only a few shots then. Since General Smith has been in command here there has not been a single surrender of arms or men, nor has there been a single capture to my knowledge. The only thing he has accomplished, to my knowledge, was the arrest of a few men on Biliran and along the straits, on the confession of one of Lukban's officers, the truth of whose statements is yet to be established.

So, General, all the sensational newspaper reports that have reached Manila from reporters traveling with General Smith are absolutely without foundation, and have had but one object in view, the return of this province to military control.

I say this because I know he made a request to that effect, and he read me an extract from General Chaffee's reply, which said in substance, "It is not desirable to return Leyte to military control," assigning his reasons therefor, but concluded by saying, "The governor of Leyte must be called on to demonstrate his ability, and if he can't do it, then I will make a formal request to have Leyte returned to handle the situation to military control."

In the light of this statement the withdrawal of these troops and the manner in which it was done lead to but one conclusion, which I do not think it necessary for me to mention. They were left absolutely without protection, and all my available constabulary was out in the mountains at least a hundred miles away while I was not even notified.

This conclusion is made all the more irresistible by a statement made to the inspector of customs this morning by General Smith, to the effect that he was not trying to drive the civil officers out; that he wanted them to stay and continue to draw their salaries, but he wanted them to say, "Here, Smith, you run it."

I am interested in the welfare of the people of this province and in the successful solution of the problem out here, and I place these above my personal ambition, and I do not care to see people in this province go backward when there is no necessity for it.

There have been a lot of abuses committed by the soldiers in this province, if rumors are true, and Inspector Borseth has just spoken to me of some very striking ones that have been committed around Matalom, which I have instructed him to investigate and swear out warrants if he secures conclusive evidence.

I really think it would be beneficial, just as soon as the constabulary is organized and the municipal police in certain towns can be armed, to withdraw the troops from the province, with the exception of an emergency force at Tacloban. I feel confident that the constabulary can handle the situation.

I inclose copies of correspondence between General Smith and myself relative to the withdrawal of these troops, and I trust that my action in the matter will meet with your approval.

I sincerely trust that the health of Governor Taft continues to improve, and that he will soon be entirely well again.

With kindest regards to yourself and Mrs. Wright, I am,

Very sincerely,

J. H. GRANT, *Governor.*

**PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, December 12, 1901.**

**J. SMITH,
Commanding Sixth Separate Brigade, Tacloban.**

have the honor to inquire whether or not the troops have been withdrawn from the town of Buruan? If not, I respectfully request that I be given a few days' fore they are withdrawn.

It is exceedingly that this courtesy was not shown me before the troops were withdrawn from the other towns, in order that I might have made some provision for their protection.

Experience out here has taught us that whenever our soldiers have once occupied a place and are then withdrawn, it always invites an attack from those who are opposed to us, and it is also an injustice to those who are friendly and loyal to our cause. I regret the withdrawal of these troops from the island of Leyte just at this time, especially from Malitbog, where, as I understood, we were to prosecute a campaign against the insurgents occupying that part of the island, where there is armed resistance to constituted authority in this province really exists.

Two or three weeks prior, in consequence of this understanding, I dispatched the available constabulary force to Bato and Sogod, and only a week prior you advised me to send a gunboat to Malitbog Bay and had sent a detachment of troops to Liloan to cooperate with the troops stationed at Malitbog and the constabulary at the other points named.

Under existing conditions, I have been compelled to break up my detachment of constabulary and occupy the towns that have been left absolutely defenseless and unprotected, while Capili and his followers are left just as strong and just as numerous as they were the 1st of November. I had also succeeded in arousing the cooperation of the municipal authorities in all the towns on the western and northern coasts, with the understanding that a vigorous campaign was going to be conducted, which I understood from your further statement to me that you were about to put another battalion in this province.

I am sure that you have some good reason for the withdrawal of these men, but their withdrawal, and especially the manner in which it was done, will be productive of bad results, while the breaking up of Capili's band of robbers will be delayed until I can secure a larger constabulary force.

In the last few days one of your officers remarked to me that if his town were attacked the friendly natives would have their throats cut within forty-eight hours. So you can understand my anxiety about these towns until I have sufficient troops to supply the municipal police and until my constabulary is organized.

The towns in the province, Malitbog, Cabilian, and Hinunangan should have been garrisoned.

Very respectfully,

J. H. GRANT, Governor.

**HEADQUARTERS SIXTH SEPARATE BRIGADE,
Tacloban, Leyte, P. I., December 13, 1901.**

J. GRANT, Tacloban, Leyte.

TO THE GOVERNOR: Replying to your inquiry of yesterday, I have the honor to inform you that no orders for the withdrawal of any of my troops from Buruan have been given. And I am surprised at the tone of your letter, hinting of lack of faith and breaking of faith on my part.

I remember that the island of Leyte is supposed to possess a self-sustaining government, with all the powers and all the responsibilities which this implies. I remember, also, that I am sent here to prosecute a war in the neighboring island of Samar, and that orders or news received may compel me in a moment to change my plan formerly made.

Very respectfully,

**J. H. SMITH,
Brigadier-General, U. S. Army, Commanding.**

**PROVINCE OF LEYTE, OFFICE OF THE GOVERNOR,
Tacloban, December 14, 1901.**

**J. SMITH,
Commanding Sixth Separate Brigade, Tacloban.**

TO THE GENERAL: I am just in receipt of a telegram from Maasin, informing me that the troops at that point are under orders to move.

Am also semiofficially informed that all the troops on the western coast are under similar orders.

Will you kindly inform me if this information is correct, that I may make provision for the defense of these towns?

Very respectfully,

J. H. GRANT, Governor.

No reply has been received to this inquiry.
4 P. M. DECEMBER 15, 1901.

J. H. GRANT.

PROVINCE OF LEYTE,
OFFICE OF THE GOVERNOR,
Tacloban, December 15, 1901.

My DEAR GENERAL: Replying to your favor of even date, I have the honor to assure you that there was no intention in my communication of yesterday to charge you with a breach of faith in the withdrawal of troops from certain towns in this province. I simply expressed my regret that you had found it necessary to change what I conceived to be your plans for instituting a vigorous campaign in the southern part of this province, with a view of putting an end to the operations of Capili and his band of robbers.

I desire to say, however, that the withdrawal of troops from any towns in this province and the severance of telephonic and telegraphic communications between such towns and the capital of the province without a previous notice to the provincial governor can not be viewed by him in any other light than as a lack of courtesy toward himself on the part of the military commander, and especially in view of the exceedingly pleasant relations which have heretofore existed between the civil and military authorities in this province, and I assure you that the withdrawal of troops from these towns and the removal of telegraphic connections between the same has surprised me more than my hinting at a lack of courtesy on the part of the military commander could possibly have surprised him.

The provincial governor feels that just as soon as the municipal and insular police are properly armed and equipped the island of Leyte will possess a self-sustaining civil government ready to exercise the powers and to incur the responsibilities which devolves upon it as such.

Very respectfully,

J. H. GRANT,
Governor.

Gen. J. H. SMITH,
Commanding Sixth Separate Brigade, Tacloban.

[Telegram.]

MANILA, December 20, 1901.

GRANT, Governor, Tacloban, Leyte.

Your letter 14th received and action approved. Am pleased to see that you are exerting yourself actively to control situation. Keep me advised as to your needs and conditions generally.

WRIGHT, Acting Civil Governor.

Estimate of receipts and expenditures of the city of Manila for fiscal year ending June 30, 1902.

RECEIPTS.

Real-estate taxes, 1901, 1 per cent levy on assessed valuation of \$30,000,000.	\$300,000
Urbana and frontage taxes collected for year ending June 30, 1901, to be credited to persons paying real-estate taxes.....	120,000
	420,000
Real-estate taxes, 1902, 1½ per cent levy on \$30,000,000, of which one-half is due and payable July 1, 1902.....	225,000
Licenses, all classes.....	150,000
Public slaughterhouse	50,000
Industrial tax.....	250,000

le of receipts and expenditures of the city of Manila, etc.—Continued.

RECEIPTS—Continued.

due stamps	\$57,000
f registration	75,000
gistration, vehicle tax, and equipment	23,000
ts	106,000
ontage taxes, years 1899 and 1900	26,000
property	4,000
art fines and fees	75,000
ice	2,000
.....	1,000
, obstruction of public way	3,000
.....	40,000
measures and building permits	7,000
Receipts	1,288,000

EXPENDITURES.

	Regular expenses.		Rents.	Illumina- tion.	Total.
	SW.	Supplies.			
l, including expenses of advisory ry's office, disbursing officer	\$42,000	\$22,600	\$18,000	.....	\$82,600
ineering and public works:					
er's office	20,000	4,800	.....	.....	24,800
as, docks, etc.	175,000	224,000	.....	.....	399,000
ed illumination	21,300	12,000	1,100	\$61,000	95,400
y and sewers	30,000	35,000	.....	.....	65,000
on	77,000	2,300	10,500	.....	89,800
l	38,000	13,000	.....	.....	51,000
nt	500,000	50,000	8,200	.....	558,200
l	14,500	375	.....	.....	14,875
attorney	14,400	325	.....	.....	14,725
urts	10,700	1,000	.....	.....	11,700
.....	6,900	1,200	.....	.....	8,100
ace, courts	2,500	250	.....	.....	2,750
istance .....	.....	2,400	.....	.....	2,400
l collector	52,000	9,000	.....	.....	61,000
ks	7,000	.....	.....	.....	68,000
.....	1,011,200	378,250	37,800	61,000	1,488,350
idities for permanent improvements, public works, and nonre- ses:					
oard, Santa Cruz Bridge .....	.....	.....	.....	\$59,000	.....
engineering and public works—					
antolon road .....	.....	.....	.....	5,000	.....
Luneta wall .....	.....	.....	.....	1,500	.....
Bridge of Spain .....	.....	.....	.....	15,000	.....
slaughterhouse .....	.....	.....	.....	2,500	.....
kets, new .....	.....	.....	.....	42,500	.....
ry .....	.....	.....	.....	35,000	.....
.....	.....	.....	.....	5,000	.....
of means of transportation .....	.....	.....	.....	47,500	.....
public instruction, school furniture .....	.....	.....	.....	6,500	.....
ment—					
aratus and equipment .....	.....	.....	.....	44,500	.....
to fire stations .....	.....	.....	.....	15,000	.....
m system .....	.....	.....	.....	35,000	.....
ment, police-alarm system .....	.....	.....	.....	35,000	.....
ment, law books .....	.....	.....	.....	1,950	.....
.....	.....	.....	.....	.....	\$50,950
editures .....	.....	.....	.....	.....	1,539,300

RECAPITULATION.

Receipts	\$1,288,000
Expenditures	\$1,839,300
Expenditures to be paid by insular government	551,790
Defrayed by municipal government	1,287,510
.....	490

ESTIMATE OF LOANS.

Estimate of loans to the extent of \$5,000,000 is deemed advisable for public improvements in the city of Manila within the next 10 years, as follows:

Building sewer system, estimated by the city engineer.....	\$2,000.
Extension of water supply.....	1,000.
School buildings and fixtures, estimated to provide school facilities for an average of 35,000 pupils.....	750.
For waterways and improving wharves, docks, and landing places.....	500.
For paving, provided a system of local assessments is provided.....	600.
Fire and police stations and fixtures.....	100.
For new markets.....	50.
Total.....	5,000.

For the fiscal year 1902 public improvements and rents will cost city about \$400,000, which will more than pay the interest on loan \$5,000,000, and it is estimated that the increased valuation incident to the public improvements above mentioned, together with the increased tax rate for the year 1903, will provide funds to such an extent that a sinking fund may be provided for the payment of these loans within a reasonable time. The city of Manila, in addition, owns large tracts of public land which will shortly be available for sale or rent, which should provide an increase in the present revenue of city without resort to any increase in the taxes.

Statement showing the public debt of 10 cities in the United States of about the same population as Manila.

Year 1901.	Population	Area (square miles).	Public debt	Assessed valuation of real estate.	Tax 1
New Orleans.....	290,000	196	\$14,218,210	\$28,809,615	
Detroit.....	300,000	29	4,687,794	174,165,440	
Milwaukee.....	300,000	23	5,902,250	127,984,790	
Washington, D. C.....	278,718	10.2	15,000,000	192,000,000	
Newark.....	248,000	18.5	10,571,490	116,581,525	
Jersey City.....	206,000	13	13,910,718	93,325,000	
Louisville, Ky.....	210,000	40	8,200,000	121,000,000	
Cincinnati, Ohio.....	360,000	37	25,546,456	200,000,000	
San Francisco.....	350,000	41.75	41,122	284,510,000	
Pittsburg, Pa.....	330,000	26.25	10,568,377	819,778,905	
Manila.....	300,000	26		30,000,000	

Statement showing the public debt of 10 cities in the United States having about the same assessment valuation of real estate as Manila.

City.	Population	Area (square miles)	Public debt.	Assessed valuation.	Per cent of actual valuation.	Tax rate.
Binghamton, N. Y.....	40,000	10	\$668,500	21,109,730	60	2.0
Candler, N. J.....	78,000	9.25	2,549,000	27,607,810	67	2.0
Charleston, S. C.....	65,000	5	3,798,200	17,283,458	40	2.0
Covington, Ky.....	55,000	2.75	2,235,000	24,125,000	75	1.5
Elizabeth, N. J.....	82,500	9.25	3,207,900	18,188,897	60	2.0
Elmira, N. Y.....	40,000	7	1,008,500	17,242,211	60	1.0
Lowell, Mass.....	37,750	1.5	1,188,683	26,444,983	65	1.5
Hoboken, N. J.....	62,000	1.5	1,662,771	40,247,760	100	1.0
Mobile, Ala.....	45,000	5	2,009,000	16,282,904	60	1.5
Seattle, Wash.....	90,000	30	3,537,377	40,104,255	100	4
Manila.....	300,000	26		30,000,000	100	2.0

DEPARTMENT OF ASSESSMENTS AND COLLECTIONS.

Manila, P. I., December 18, 1901.

The following is a list and description of the real estate and the buildings, etc., thereon in the city of Manila, P. I., used and claimed by the army, as appears from the memorandum furnished this office by the Headquarters Division of the Philippines, viz:

[Memorandum setting forth the property of the city of Manila belonging to the United States, and in use by the army in the Philippine Islands.]

This list must not be taken as conclusive. It is probable that other property not mentioned herein was assigned for the use of the army under Spanish laws and decrees in force in these islands at the time of the American occupation. The property hereinafter mentioned is in charge of and subject to the control of the commanding general United States army in the Philippine Islands, and the precise use which the various premises are put varies from time to time. It is not possible in any cases to give the technical boundaries of the various parcels of land and buildings, as no survey of the premises has been made. It is thought, however, that for purposes of the assessor the area of the various properties is sufficiently well known without other description than reference to the buildings or lots.

1. The Santa Potenciana building, at the northwest corner of calles Palacio and Victoria.

2. Building assigned as headquarters of the post of Manila, on the Calzada de Manila, otherwise known as the Paseo de las Aguadas, or Calzada de Bagumbayan, at the calle Novalveda.

3. Ten sets of quarters, situated on both sides of the calle Novalveda, near the Calzada de Bagumbayan.

4. Officers' quarters, and barracks, called the Estado Mayor, extending between the end of the suspension bridge and the rice market.

5. The hospital known as the First Reserve, with certain sets of quarters in the same used as medical supply depot, etc.

6. The one-story building occupying the north end of the block bounded by the Santa Potenciana, Palacio, Victoria, and Cabildo, known previous to the American occupation as the Engineer Park, the residence of the chief of engineers, etc.

7. Quarters and barracks known as the Cuartel Meisic, situated to the west of the Cuartel Regente, this including the house used for quarters by the commanding officer, opposite main sally port of said barracks, and a lot of land with certain buildings, of less ruinous to the north of said commanding officers' quarters, and the Cuartel de Santiago and the ordinance depot, including all houses and ground situated to the north of calle Santa Clara and west of the calle Hospital from its intersection with calle Santa Clara to where calle Hospital becomes the calle Almacenes, a distance of fifty north of the calle Almacenes.

8. Certain quarters built against the city wall, used in the Spanish days for the workshop in the ordinance depot, situated on the calle Arzobispo west of the Cuartel de Santiago.

9. Five sets of houses on calle Santa Lucia, in the rear of the Jesuit Church and west of the Cuartel de España.

10. Cuartel de España, situated between the calles Victoria, Santa Lucia de la Cruz, and Palacio, including officers' and quarters for officers located on the corner of calle de la Encarnación.

11. Barracks and quarters for officers on the calle Santa Lucia, west of the Cuartel de España, known to the Spanish authorities as the barracks for artillery.

12. Artillery ground known to the Spanish as Remonta de Artillería, forming a triangle with the Cuartel de España, otherwise the Paseo de las Aguadas, otherwise the Calzada de Bagumbayan, and is described as follows:

Starting from the bridge on calle Novalveda, thence north, following the stream, to the station track, thence east, by said stream, to bridge on calle Matagorda, thence north, to a point about 200 meters to private property, thence east, thence northward to Calle de Cacerpacion, thence west by Calle de Cacerpacion to Calle Bagumbayan, thence by Paseo de Bagumbayan to intersection of Calle Bagumbayan by Calle Novalveda to point of beginning. Approximate area, 10,000 square meters.

13. Barracks situated near the San Andres bastion, on the calle de Bagumbayan, between Calle Arzobispo and Calle Viva.

(15) Infantry barracks, named Del Fortin, situated on the south bank of the River, between the bridge of Spain and the ramp of the new bridge now under construction.

(16) The Luneta Barracks, now called the Third Reserve Hospital.

(17) The Malate Barracks, situated in Malate, between the calles Real and N. south of the Calzada de Herran.

(18) Certain land between the calle Real, Malate, and the bay, opposite the Malate Barracks, now occupied by military storehouse and Nipa Barracks.

(19) Cavalry Barracks and quarters for officers, calle Santa Lucia, opposite calle San Augustin, walled city.

(20) Barracks now used as a prison, situated on the corner of the calles Arzobispo and Postigo, at the entrance to the city known as the Postigo Gate.

(21) Powder magazine of San Antonio Abad and adjacent ground, situated in the north of Malate.

(22) Powder magazine of Nagtajan, situated in the village of Pandacan. (Formerly Pandacan, now Sampaloc.)

(23) Powder magazine of San Juan del Monte, situated near the bridge of name. (Outside of present city limits.)

(24) Powder magazine of San Francisco del Monte, to the north of the powder magazine of San Juan del Monte. (Outside present city limits.)

To these must be added the following:

The Bagumbayan Field, with the fortifications and buildings thereon, described as follows:

Bounded on the north by Paseo de Bagumbayan; on the east by Calle Nombrado; on the south by Calle San Luis; on the west by Calle Real.

	Sq. m.
Total area.....	17,110
Less private property.....	4

Net area..... 16,100

Area of small fort within the above, included in total area, 7,110 square meters (Camp Wallace).

A lot bounded by Paseo de Bagumbayan, the Calle Concepcion, the Botanical Garden, and a street in the rear, total area, 10,710 square meters (Bureau of Printing and Engraving).

	Sq. m.
Area of moat surrounding the city wall.....	70
Area covered by outworks in moat.....	15
Area covered by city walls.....	6
Area of glacis, including outer moat.....	17

Attention is invited to the fact that under Spanish laws entire control was given to military authorities of all land to a distance of 1,500 varas from the covered works and the fortifications; that is approximately over 1,200 yards.

It will be observed from the notes of the said "Memorandum" that the foregoing list is not to be taken as conclusive as to the American claim to other property in the city not mentioned.

I have indicated this property upon the accompanying map by marking each description thereon in yellow, and with a number corresponding to the respective number in the list.

The following is a list and description of the real estate, with buildings, etc., thereon, in the city of Manila, P. I., claimed and occupied by the "Works of the port," though partially used by the Quartermaster's Department, United States Army, as furnished this office by the office of the chief engineer of the Division of the Philippines:

The several plots of land owned by the works of the port are, for convenience numbered from 1 to 4, inclusive, and are described as follows:

Plot No. 1.—Begins at the intersection of the present shore line of Manila Bay and the breakwater near the Legaspi monument, known as the east breakwater, and includes all land north of this point between Malecon drive, Pasig River, the canal, and Manila Bay.

Plot No. 2.—Known as Engineer Island, includes all land lying south of the Pasig River and west of the canal.

—Occupied by the light-house, dry dock, and marine railway; includes north of the mouth of the Pasig River, bounded as follows: On the north by Pasig River; on the east by a line at right angles to shore of Pasig River, and east end of building No. 6, known as office and quarters of dry dock; by Pasig River; on the west by Manila Bay.

—Includes the entire city block bounded on the south by Muelle de la Paz, on the west by Estero de Vitas; on the north by Calle San Nicolas, and on the east by a street, name unknown. Title to this lot not settled at this date.

lots are indicated upon the accompanying map in red, and the lots corresponding to the above list. The map is fully submitted.

_____,
City Assessor and Collector.

MANILA, P. I., *December 19, 1901.*

WILLIAM H. SLEEPER,
Member of the Municipal Board, Manila, P. I.

SIR: I herewith return memorandum of the property in the city of Manila now in use by the army in the Philippines, which was under the direction of the commanding general of the division.

The records of the municipality show that considerable of the land now occupied by the commanding general of the division as belonging to the United States is property of the city of Manila, namely the following, to wit:

lots 2, 3, 4, 5, 13, 16, 18, and in addition thereto that which is Bagumbayan Field, also the lot described as being bound by Bagumbayan, Calle Concepcion, the Botanical Gardens, and in the rear, containing a total area of 10,710 square meters; the land upon which the walls of the city are erected, and the surrounding the walls known as the Moat and Glacis.

The records in existence in this city, together with the Spanish records which were taken from this city and are now in the archives of the War Department, will show that all of the above land is, in fact, land belonging to the city of Manila, and that the Spanish military authorities occupying a greater portion of said land, fully realizing that the same was property of the municipality of Manila.

I am, very respectfully,

_____,
City Attorney.

[The Philippine Sugar Estates Development Company, Limited, against the sale of the lands to the Government, accompanied by reports regarding the value of the lands.]

E. E. WRIGHT,
Acting Civil Governor of the Philippines.

The board of directors of "The Philippine Sugar Estates Development Company, Limited," in a meeting held on the 27th of December, discussed the project of buying the plantations which were the property of the religious corporations in the Philippines. The project was forwarded to the Congress of the United States, as I have been pleased to inform us, to which information you added several reasons in its favor.

The board decided to submit for your consideration the facts and reasons which have made it impossible to agree to this plan, for it does not believe that it is the intention of the commission to impose, forcibly, such a sale upon the company.

I. The eight plantations belonging to the company are situated as follows: Two in Cavite Province, three in Laguna, two in Bulacan, and one in Bataan, and were lawfully sold on August 8, 1898, by the representative and superior or head of the corporation of Dominicans, who had full power to make the sale, to the British subject, Mr. Richard H. Andrews, who, according to article 38 of the law governing foreigners, had power under the law to acquire real and personal property of every description.

II. The consideration paid for this property was 3,830,000 pesos, of which the purchaser paid 1 per cent in cash, agreeing to pay the balance remaining at the expiration of fixed periods, and binding himself to organize a stock company to develop the plantations and to deliver part of the stock of said company to the corporation, the vendor, as part payment of the balance of the purchase price which he still owed to the same.

III. During the whole time which elapsed between the date above mentioned and that of the organization of the company, Mr. Andrews carried on negotiations and succeeded in interesting a French company, organized in Haiphon (Tonkin), in the project, which syndicate subscribed a majority of the capital stock, which was fixed at 5,000,000 pesos. To accomplish this the syndicate bought the Dominican's claim to the balance of the purchase price of the plantations which Mr. Andrews still owed. This left the company the owner of the plantations free from incumbrance.

IV. According to an agreement made, Mr. Andrews and the American citizen, Mr. Barry Baldwin, the Manila representative of a leading commercial firm of the United States, which agreed to place shares of the company to the value of 200,000 pesos, organized and incorporated the "Philippine Sugar Estate Company, Limited," on the 29th of January, 1900, by means of a public document recorded in the Mercantile Register of Manila on the 13th of February, 1900.

V. The purpose and principal object of this company was to develop and cultivate the eight plantations which represented more than four-fifths of its capital stock, which development would have been greatly facilitated by the remainder of the capital stock represented by shares which could be converted into cash.

It is obvious that if these plantations were taken away from the company it would not only be deprived of its principal purpose or object but would also be unable to secure the large profits which it expects to gain therefrom, which would mean its ruin and dissolution.

VI. This unfortunate possibility was provided for in article 25 of the articles of incorporation, which provides that a majority vote of the stockholders shall not have power to force a dissolution of the company before the expiration of fifty years, the social life of the company, and that no action referring to the dissolution of the company can be taken except by a unanimous vote of all stockholders present at a general stockholders' meeting, expressly called for this purpose. Article 20 limits the powers of the board of directors to the sale of one plantation only.

VII. It is certain, then, that the board of directors of the company can under no circumstances sell all of its plantations, no matter how great a price may be offered for them, nor can a regular meeting of stockholders lawfully agree to do so if a single stockholder present votes against such action. It is safe to predict that such unanimity will never come to pass unless the price offered should be sufficient to cover, not only the amount paid by the company for the plantations, but also the earnings of the property of which the company has been deprived for the last two years, amounting to over 500,000 pesos, and the profits which it expects, on good grounds, to derive from development. These advantages are conservatively set forth in the report written by Mr. Andrews before the company was incorporated, a copy of which, in English is inclosed herewith (No. 1).

VIII. The numerical and statistical data given in this report are strictly exact. The quality of the land, its cultivation and the products which could be derived from it, the increase in area of productive land which would be gained by extending the important system of irrigation established by the former owners, the cultivation of land never before cultivated, methods in handling field hands and mechanics would so increase the present value of the plantations that it is difficult for the company to calculate what price should be put upon them by the least grasping of all who have looked into the matter.

It must be remembered that those who have bought stock have done so in the hope of making large profits from the projected development of the plantations as planned in the report referred to. They also felt that the money which they invested in stock was amply secured by the value of the real estate, which represented the greater part of the capital of the company and to which the legality of the company's title is unquestionable, according to the decision of the honorable Commission which we had the satisfaction of hearing.

IX. A little study of the report will demonstrate how ruinous and uneconomical such a partition or distribution of the lands as, according to public report, the United States intends to make would be to the individuals and even to the towns in which the plantations are situated, no matter how or on what terms said partition may be conducted, to say nothing of the fact that these properties would be burdened with the obligation of reimbursing the United States with the purchase price which must be paid to its lawful owners in case the United States acquires them, passing over the fact that the socialistic theory, upon which the supposed partition is modeled, is discredited and utterly impracticable (the only difference between socialism and this plan lies in the fact that in this plan the land must be paid for and will not be distributed gratis, as the adherents of the Tagalog revolution desired), and finally, leaving out of the question the condition and peculiarities of these small landholders, which would render such a partition futile and of no effect, their real or financial necessities would soon force them to encumber or even sell their small allotments, and not counting the difficulties and interminable and bitter disputes to which the use of water for irrigating purposes would give rise, and the maintenance of the large reservoirs and conduits which exist on most of the plantations. The truth of what has been said can easily be perceived by remembering the fact that the individual efforts of these small landholders can under no circumstances bring about the prosperity and

development which, according to the report referred to, this company has every right to expect. The United States has had ample testimony as to how much the united efforts of its great companies have contributed to the enormous material advancement to which it has attained and which has raised it above other nations.

X. The fact that these plantations formerly belonged to the friars can not be sufficient motive for their purchase and acquisition by the Government for the purpose of distributing them by lot among the tenants living on them, as if the future of the country depended upon it, for the working of these plantations, as Mr. Andrews shows in the report, was very much more advantageous for the tenants upon them than that of any other plantation in the islands, whether owned by Filipinos or by private parties. And if this measure must be adopted to satisfy the socialistic tendencies which the revolution has awakened in some troublesome natives (subversive tendencies which are not only shown toward the estates of the friars but which are reaching toward properties of private persons, as in the case of the plantation known as the "Esperanza," in Nueva Ecija, and that of another estate in Tarlac). If this measure must be adopted to avoid repressing with due severity those who encourage these disturbing tendencies, and who are now apparently loyal, there is as good and even better cause for adopting it in the case of the plantations in Luzon and the Visayas, and this would make progress and development of agriculture impossible in the Philippines.

XI. This resistance, which some evil-minded persons pretend is made by the tenants of the estates of the company, exists evidently only in the imagination of certain interested parties, who, for their private ends, have created the impression among people of their own ilk that the authorities uphold them in their senseless and ambitious projects. But even this is not common to all the plantations, for in those in the province of Bulacan, where during the military régime we had as representative an American citizen, the majority of the municipal presidents acknowledged and respected the rights of the company, and the majority of its old and numerous tenants renewed their leases and paid to said representative the amounts due for the year 1900. This peaceful and law-abiding condition of affairs was recently changed in one of the villages, Marilao, owing to the fact that the president allowed himself to be influenced by the extravagant reasonings of Attorney Felipe Calderon, who in the question, as he calls it, of the friar estates has discovered a rich mine to be worked, and has led astray a few wretches who had already signed their new contracts with the company and induced them to refuse to comply therewith under the futile, contradictory, and, moreover, ridiculous pretext that they had signed said contracts under the threat or intimidation that they would be deprived of their lands.

XII. We should have obtained the same results on the estates in Laguna and Cavite if the military authorities there had stopped all attempts at sedition and had duly punished the few who were guilty of it. But, unfortunately, under the idea of avoiding these attempts they compelled our representative to leave in the early months of this year. More recently, under the civil régime, the promoters of the disorders in the province of Cavite have been encouraged by the immunity which they see is still enjoyed by those who promoted the disorderly manifestations at Santa Cruz and Naic in the months of July

and August last in opposition to the possession concerning which the court of first instance of the province, on account of the validity of the title, had issued an order to the effect that possession be granted to the company, although at the proper time the facts had been laid before the civil governor of the islands and of the province, who answered by referring us to said court, which has as yet taken no action against the authors of the aforesaid seditious acts.

XIII. It is a fact proven by legal evidence that the aforesaid estates do not now belong to the friars, but that they are the property of the company incorporated under the before-mentioned written instrument of January 29, 1900, which company is a legal entity, independent of and distinct from the entities of its partners or shareholders. And it can not be supposed that the latter, or the majority of them, are friars, because the shares in which the society's capital is divided are represented by certificates drawn to bearer, in accordance with articles 13 and 15 of said written instrument, the ownership of which shares is proved by mere possession. And although the shareholders constituting the board of directors are known, for they have on deposit in the vaults of the company the shares necessary to guarantee their liabilities as directors, the identity of the holders of the rest of the shares can not be known until those who desire to take part in a general stockholders' meeting deposit said shares in said vaults.

XIV. Nor can such a deduction be drawn from the fact that the Haiphong syndicate was represented at the incorporation of the company by a bishop and certain missionary priests, who constitute an association of great importance in the Catholic Church, controlling large capital and being entirely independent of the associations composed of friars, nor from the fact that this syndicate, being French because it is domiciled in French territory, bought from the Dominicans the claim for the unpaid balance which they had against Mr. Andrews, for, although it might have transferred some of the 41,015 shares which it received as compensation for this claim to the Dominican corporation, the possession by the latter of said shares would have no greater significance than would the possession of any other sort of negotiable paper, such as bank notes, which it might have in its vaults.

Furthermore, the friars individually and collectively are just as capable subjects in law as any American or foreign-born citizen, and their rights must be equally respected and guaranteed by the noble and liberal nation of the United States in the Philippines. Their legal entity and their property as a whole must not be confounded with those of the Catholic Church as if they formed a general association with the latter, because within said church the religious associations have separate and independent existence, and in the improbable event of the supreme head of that church ordering these religious orders to dispose of the real and personal property held by them in the Philippines the transfer of such shares of the company as they might hold to whomsoever might purchase them would not affect the organization or purposes of this company in the slightest degree, nor would it have the least effect upon its title to its estates.

We have only to add that we inclose herewith, marked No. 2, a brief report of events which have recently transpired and which are doing serious damage to the rights of this company. We have every confidence that these events will be investigated and corrected, which action will demonstrate the justice and the zeal in behalf of the wel-

fare of those whom they govern, which all recognize in the authorities of the islands.

In view of the partiality shown by the judge of Cavite, we beg leave to call attention to the propriety and desirability of the appointment of an American judge to serve in said province.

Very respectfully,

THE PHILIPPINES SUGAR ESTATES
DEVELOPMENT Co., LTD.
EL ADMOR GRAL.
FRANCO. GUTIERRES.

MANILA, P. I., *December 9, 1901.*

[Translation 2.]

THE PHILIPPINE SUGAR ESTATES
DEVELOPMENT COMPANY, LIMITED,
Manila, December 10, 1901.

Señor JOSE SERAPIO,
Governor of Bulacan.

SIR: It came to our knowledge that you have passed a circular to all the municipal presidentes of that province regarding a letter from a member of the civil commission, Señor Benito Legarda, sent through Señor Gregorio Corcuera, who was said to make the appraisement of certain lands belonging to the friars by order of the civil governor of the islands. Said Señor Corcuera has been recommended by you to all the presidentes, to the end that all means be facilitated to him in order to carry out his business.

You know this company is now in possession and hold lawful titles of the lands situated in Lolomboy and Pandi, which had belonged to the Dominican friars; but as these do not hold any rights on them now, we beg to oppose that said lands be included in such appraisement; all the more, we hope you will order the exclusion of same.

Further on, we suspect your good faith has been taken to an advantage, and we consider that on taking such measures you led yourself to a great responsibility. Inasmuch as we believe the honorable civil governor would not have given such order by the following reasons, we beg to submit to your consideration:

1. Whereas all expropriations shall take due course prescribed by the code of civil procedure, the contradictory judgment between the state and the property owner of lands to be expropriated, and the appraisement can not be done by either one of the parties only.

2. Whereas the means of communication established between the civil governor and the provincial governors is through the executive secretary, and not through any of the members of the Commission. With this view, we suppose you have consulted that authority before complying the order.

3. For some prejudices on the ownership of the lands that may arise by the proclamations made issuing from your order.

We hope by this statement you will recall your order informing the presidentes that both lands here-above named be excluded from such measure, for being owned by this company, and not by the friars.

We are, very respectfully,

FRANCISCO GUTIERRES.

Hon. Señor Luke E. Wright, vice-gobernador civil de Filipinas.

RESPETABLE SEÑOR: La Junta Directiva de "The Philippine Sugar Estates Development Company, Limited," en sesión de 27 del pasado, ha deliberado sobre la proposición de compra de las Haciendas que dueron de las Corporaciones Religiosas de Filipinas, elevada al Congreso de los Estados Unidos por la Honorable Comisión Civil, según se ha dignado V. manifestarnos, y sobre los motivos principales en que esa proposición se ha apoyado; habiendo acordado se expongan á su consideración los hechos y razones que ha tendido en cuenta para no conformarse con esa proposición de compra, que no puede creer sea el ánimo de la Comisión imponerla, forzosamente á la Compañía:

I. Las ocho Haciendas propias de la Compañía, situadas, dos en la Provincia de Cavite, tres en la de la Laguna, dos en la de Bulacán y una en la de Bataan, fueron vendidas legítimamente, por quien tenía facultades para hacerlo, el Representante y Superior ó Jefe de la Corporación de Dominicos en 8 de Agosto de 1898, al ciudadano británico, Mr. Richard H. Andrews, que, según el artículo 38 de la Ley de Extranjería de las provincia de Ultramar de 4 de Julio de 1870, entonces vigente en Filipinas, tenía aptitud legal para realizar la adquisición de toda clase de bienes inmuebles en dichas islas.

II. El precio de esa venta fué el de 3,830,000 pesos, del que el comprador pagó al contado el uno por ciento, aplazando el pago de la cantidad restante, y obligándose á constituir en el término de dos años una Compañía anónima para la explotación de las Haciendas y á entregar parte de las acciones de dicha Compañía á la Corporación vendedora, por venta del precio que quedaba el comprador adeudando á la misma.

III. Durante todo el tiempo que medió entre aquella fecha y la de la constitución de la Compañía, se gestionó de un Sindicato francés constituido en Haiphon (Tonkin), se interesara en ella, aportando la mayor parte del capital social, fijado en cinco millones de pesos: á este fin adquirió por compra el Sindicato el crédito de los Dominicos contra el señor Andrews, consistente en la parte del precio adeudado; consiguiéndose con la aportación de ese crédito á la Compañía, que al partir las Haciendas libres de la hipoteca con que, por ese crédito, estaban gravadas.

IV. Puesto de acuerdo el dicho Sindicato, el Señor Andrews y el ciudadano Americano Mr. Barry Baldwin, representante en Manila de una importante firma comercial de los Estados Unidos que se comprometió en las bases fundamentales á colocar acciones de la Compañía por valor de 250,000 pesos, fundaron y constituyeron la Compañía anónima "The Philippine Sugar" por escritura pública de 29 de Enero de 1900, incorporada al Registro Mercantil de Manila en 13 de Febrero siguiente.

V. El fin y objeto principal de esa Compañía, según se manifiesta en su denominación, fué la explotación y cultivo de las ocho Haciendas, que entraron á formar más de las cuatro-quintas partes de su capital social; explotación que debía recibir considerable impulso, por la parte restante del capital representada en acciones realizables en metálico. De donde resulta claro que, enagenadas esas Haciendas, no solo se despreciaría la Compañía de lo que constituye su principal fin ó objeto, sino que se vería imposibilitada de lograr las grandes utilidades que de él espera conseguir; lo que importaría su disolución ruinosa.

VI. Resultado tan funesto fué previsto en las bases de la constitución social de la Compañía, al prohibir en su número 25 que pudiera imponerlo el voto de la mayoría de accionistas antes de la expiración del término de 50 años, duración de la sociedad prescribiendo que jamás pudiese tomarse acuerdo referente á la disolución de la sociedad, sin el voto unanime de todos los accionistas concurrentes á la junta general convocada expresamente para ese fin; quedando por la base No. 20 limitadas las facultades de la junta directiva á la venta de una sola de las Haciendas.

VII. Es pues indudable que la Junta Directiva de la Compañía, no puede en modo alguno disponer la venta de todas sus Haciendas, por muy importante que sea el precio que por ellas se ofrezca; y que tampoco podrá acordar validamente la junta general de accionistas, si uno solo de los que á ella concurren, opusiera su voto contra ese acuerdo. Tal unanimidad fácil es prever que no se conseguiría, á menos que el precio que ofreciera fuera bastante á cubrir no solo el que costó su adquisición á la compañía, sino los productos de que se ha visto privada en los dos años proximately transcurridos desde su constitución, los que ascienden á mas de quinientos mil pesos, y ademas los beneficios que fundadamente espera conseguir de la explotación. Esas ventajas nada excesivas se manifiestan en la memoria escrita por Mr. Andrewus, antes de constituirse la Compañía, teniendo el gusto de acompañar de ella copia en inglés (No. 1).

VIII. Los datos numéricos y estadísticos, expuestos en esa memoria, son de rigurosa exactitud; La calidad de las tierras de los cultivos y de los productos que de las mismas podran obtenerse; la extensión y aumento que tendrian ampliando las importantes obras de riego para la fertilización de los terrenos, realizados por sus anteriores propietarios; la reducción á cultivo de los que aun no lo han sido, aprovechamiento de sus productos naturales y mejora de los sistemas antiguos, y por de mas rutinarios para las labores agrícolas é industriales, avaloran tan considerablemente las Haciendas á que se refiere la memoria, que es difícil á la Cia. prever en qué suma de dinero podría apreciarlas el menor exigente de cuantos se han interesado en ella. Porque no hay que perder de vista que, cuantos adquirieron acciones, tuvieron por estímulo la esperanza de obtener beneficios por lo que, con la explotación hecha en debida forma, como se proyecta en la Memoria referida; alentados á la vez con la seguridad de que al valor de sus acciones respondía satisfactoriamente el de las propiedades que formaron la base principal del capital de la Compañía; propiedades cuya legitimidad es indiscutible; como tambien tuvimos la satisfacción de oír que ese era el dictamen de la Honorable Comisión.

IX. A poco que se reflexione sobre fundamentos exuestos en esa misma Memoria, se comprenderá cuan anti-económica y ruinosa sería para los individuos y aun para los pueblos en que radican las Haciendas, esa repartición ó distribución de terrenos que, según de público se dice, tiene en proyecto el Gobierno de los EE. UU., cualesquiera que fuesen la índole y condicionalidad de tal medida. Aparte el gravámen con que esas propiedades pasarían á su dominio, para reintegrar al Gobierno de los EE. UU., al precio en que las adquiriese de sus actuales legítimos propietarios; aparte tambien lo desprestigiado que está, y lo irrealizable que es en la práctica, la teoría socialista modelo de ese supuesto reparto, sin otra diferencia que la de ser este oneroso y no gratuito como la revolución tagala hizo desear á sus

secuaces: aparte, por ultimo, la condición é idiosincrasia de esos pequeños terratenientes propietarios, que hara del todo inutil y esteril tal distribución de terrenos, por lo pronto que sus necesidades verdaderas ó ficticias les forzarían á agravar y aun á vender, sus pequeñas parcelas; y sin contar con las dificultades y cuestiones interminables y belicosas á que daría lugar el aprovechamiento de las aguas de riego, y el sostenimiento de las grandes presas y minas de conducción que en la mayor parte de las Haciendas existen; bastaria á persuadir la verdad de lo hasta aqui manifestado, tan solo el considerar la imposibilidad de que el esfuerzo individual de tan pequeños propietarios lograra el florecimiento y desarrollo de la agricultura y el aumento de la producción, que, conforme á la referida Memoria, puede prometerse esta Compañia: pues bien probada experiencia tiene la nación de los E. E. U. U. de cuanto ha influido en el grandioso progreso material que ha alcanzado, y que la ha colocado muy por encima de otras Naciones, el esfuerzo aunado y colectivo de sus grandes compañías.

X. El que esas Haciendas fueran antes propiedades de los Frailes, no puede ser motivo suficiente para aconsejar la conveniencia social ó política, de su compra ó adquisición por el Gobierno, para ser vendidas por lotes á sus colonos, como si en ello hicieron, como demuestra la Memoria de Mr. Andrews, fué muchísimo mas beneficiosa para sus colonos que la de cualquiera otra Hacienda propia de Filipinos, ó explotada por particulares; y si por satisfacer esas tendencias socialistas que la revolución ha inspirado á algunos discolos naturales (tendencias subversivas que no se manifiestan solo respecto á las Haciendas de los Frailes sino que se van extendiendo á las propias de particulares como se está viendo ahora respecto de la denominada "Esperanza" en Nueva Ecija, y respecto de otra situada en Tarlac): si por no reprimir con la severidad debida á los que fomentan esas tendencias perturbadoras, que hoy les sostiene en una lealtad aparente, hubiera de adoptarse aquel la determinación, con igual y aun con mayor motivo deberia aplicarse á todas las Haciendas de Luzón y Visayas; con lo que el progreso y desarrollo de la agricultura se haria imposible en Filipinas.

XI. Esa resistencia que algunos malevolos han hecho creer presentan los colonos de las Haciendas de la Compañia, es evidente que tan solo existen en la imaginación de ciertos interesados, los que para sus fines particulares han sugerido á alguna nos elementos de su laya, que las autoridades les apoyan en sus descabelladas y ambiciosos proyectos. Pero ni aun ese hecho es general en todas sus Haciendas: pues en las de la provincia de Bulacan, donde durante el regimen militar mantuvimos de representante á un ciudadano americano, los mas de los presidentes municipales reconocen y respetan los derechos de la Compañia, habiendo la mayor parte de sus antiguos y numeroso colonos renovado sus contratos de arrendamiento, y pagado á dicho representante el importe respectivo al año 1900. Esta situación pacífica y legal ha venido á alterarse recientemente en uno de sus pueblos, el de Marikina, á causa de que su presidente municipal se ha dejado suggestionar por las peregrinas razones del abogado Felipe Calderón, quien ha descubierto en la cuestión de las Haciendas de los Frailes, como él la llama, una rica mina explotable, seduciendo á algunos infelices que habian ya firmado sus nuevos contratos con la Compañia, para que se nieguen á cumplir los con el futil pretexto, contradictorio y ridiculo ademas, de haberlos firmado bajo la amenaza ó conminacion de ser privados de sus

XII. Identico resultado habriamos obtenido en las Haciendas de la Aaguna y de Cavite, si hubieran impedido sus autoridades militares todo conato de sedición castigando debidamente á sus contados instigadores. Pero por desgracia, con achaque de evitar esos conatos, obligaron á salir de ellas, en los primeros meses de este año, á nuestros representantes. Posteriormente, y ya bajo el régimen civil, ha alentado á los promovedores de tumultos en la provincia de Cavite la impunidad en que hasta ahora ven á los que promovieron las manifestaciones tumultuarias de Sta. Cruz y Naic, en los meses de Julio y Agosto ultimos, contra la posesion que el juzgado de primera instancia de la provincia con vista de la legitimidad de los títulos de propiedad, mandó dar á la Compañia; no obstante haber sido denunciados en tiempo oportuno á los Gobernadores Civiles de las islas y de la provincia, que nos contestaron remitiendonos al mencionado juzgado, sin que por esto hayan sido aun, procesados los autores de dicha sediciones.

XIII. Es un hecho de legal evidencia que las referidas Haciendas no son actualmente de los Frailes, sino que son propias de la Compañia anonima constituida por la ya citada escritura de 29 de Enero de 1900, sociedad que forma una persona artificial ó juridica independiente y distinta de la personalidad de sus socios ó accionistas. Y no puede tampoco suponerse que estos, ó su mayor parte, sean Frailes, porque las acciones en que está dividido el capital social, se hallan respresentadas por títulos al portador, como se estatuyó en las bases 13 y 15 de aquella escritura, título cuya propiedad se acredita por su mera tenencia. Y si bien son conocidos los accionistas que constituyen la Junta Directiva, por tener depositadas en la caja de la Compañia las acciones necesarias para garantizar la responsabilidad de su administración, no puede saberse quienes sean los tenedores de las demas acciones, hasta que las depositen en la misma caja los que deseen concurrir á la celebración de las juntas generales.

XIV. Tampoco puede inferirse la mencionada suposicion del hecho de que el Sindicato de Haiphon estuviera representado al constituirse la Compañia, por un Obispo y sacerdotes Misioneros, que constituyen en: la Iglesia Catolica una asociación de suma importancia y extensión poseedora de fuertes capitales, é independiente de las que componen los frailes: ni de que ese Sindicato, francés por serlo el punto donde se estableció su domicilio, hubiera comprado á los dominicos el crédito que estos tenían contra Mr. Andrews, por no haber este pagado totalmente el precio al efectuarse la compra de las Haciendas: pues aunque de las 41,015 acciones de la Compañia que aquel adquirió en compensación de su crédito, hubiera cedido algunas á dicha Corporación, la supuesta tenencia por ella de tales acciones tendria idéntica significación que la de cual quier otra clase de valores mobiliarios, como los billetes de Banco que pueda guardar en su Caja.

Además; los Frailes individual y colectivamente son tan sujetos capaces de derechos, como cualquier ciudadano Americano ó extranjero; y sus derechos deben ser igualmente respetados y garantidos por la noble y liberal Nacion de los EE. UU. en Filipinas. Su personalidad y propiedad colectiva no pueden confundirse con las de Yglesia Catolica como sociedad general ó universal, pues dentro de ella tiene vida propia é independiente las asociaciones religiosas. Y en el caso improbable de que el Supremo Jefe de esa Yglesia les mandara que enagenasen sus propiedades muebles é inmuebles que conserven en Filipinas, caso de que tuvieran la de algunas acciones de la Compañia, con su tradición

á los que se las compraran, ni se modificarían un ápice la constitución y fines de esta sociedad, ni ese hecho afectaría lo más mínimo á la propiedad de sus haciendas.

Réstanos decir por conclusión, que por separado acompañamos con el No. 2 un suscinto report de los hechos ocurridos recientemente que ceden en grave detrimento de los derechos de esta Compañía, y que contíamos seran investigados y corregidos, demostrandose con ello la rectitud y celo por el bien de sus administrados que todos reconocen en las Autoridades de las Islas: permitiendo nos indicar, en vista de la parzialità que ha demostrado el Juez de Cavite, la conveniencia de que fuera nombrado un Juez Americano para dicha Provincia.

Muy respetuosamente.

No. 1.

The estates acquired by the company are without doubt the richest and most valuable property in Luzon. The one great feature is their close proximity and within easy communication by water to the central market, Manila.

The estates of Calamba, Santa Rosa, and Biñan are all situated at the Laguna (lake), all well-known sugar-producing lands, only short of management and the necessary capital to make the estates an El Dorado.

The estates of Naic and Santa Cruz de Malabon have been chiefly farmed for paddy, as also the estates of Lolomboy and Pandi.

The old title deeds, registries, and notarial protocols, dating as far back as the seventeenth to the commencement of the present century, testify and guarantee the rightful title and ownership of these valuable estates now acquired by the company.

The padres took the precaution of having these properties reregistered in the modern Government registry offices of property, located in the various provinces wherein the estates are situated.

From the time the padres bought and took possession of these lands they have invested and sunk an immense amount of capital to the improvement of these estates, principally in the expensive but most necessary work for the welfare of the paddy or rice cultivation, viz: stupendous irrigation works, canals, underground tunnels and piping to convey and carry water for distribution to almost the whole extent of the various estates. The irrigation works have undoubtedly reclaimed dry and parched lands to excellent and suitable lands for rice cultivation. Since the works were completed the yearly rental of the padres has been practically trebled.

Rice or paddy cultivation. On an average one hectarea, which is equivalent to 2½ acres, without irrigation produces from 12 to 14 cabanes (Spanish measure) of paddy yearly, its market value being \$20 Mexican. The self-same land under irrigation and well supplied with water produces from 40 to 50 cabanes, its market value being about \$70 Mexican. In the first instance the crops are very uncertain, depending entirely on the rainfall, while on the other hand the crops are secured and seldom fail under irrigation.

The reason that paddy has been so largely cultivated on the estates, instead of the padres insisting on the natives cultivating crops of more value, such as sugar, etc. has been, firstly, that the padres have not

conducted the management of the estates as a mercantile community and therefore not on a commercial basis, but have allowed the native tenant to follow his own inclination and devices, which naturally tended mostly to the cultivation of paddy on account of requiring less capital, less labor; his crops turned over twice and even more yearly (as two to three crops of paddy can be grown yearly); always finding a ready market at his own door, rice being the staple food of the natives; and his conservative and indolent mode of living; having no ambition of bettering his circumstances.

The following table shows the extent of land cultivated in Paddy, the value of the crops in the year 1896, the last year the padres were able to administrate on account of the insurrection, and also shows the actual rents collected by the padres according to their books:

	Acres.	Cabanes.	Value.	Rent.
Calamba	2,260	38,420	\$67,235	\$19,542
Santa Rosa	4,715	80,155	130,251	31,744
Binan	5,082	76,438	124,211	28,480
Santa Cruz	6,482	105,755	154,632	38,980
Nalc	5,400	91,800	116,225	28,383
Lolomboy	11,385	83,865	104,831	19,354
Pandi	16,750	84,250	105,312	25,077
Total	51,074	560,683	806,097	173,156

The following table shows the value realized per caban and the percentage of the value paid to the padres as rent:

	Cabanes produced.	Value per caban.	Rent.
Calamba	38,420	\$1.75	\$39.12
Santa Rosa	80,155	1.62	31.5
Binan	76,438	1.62	28.8
Santa Cruz	105,755	1.49	17.0
Nalc	91,800	1.27	22.6
Lolomboy	83,865	1.25	15.4
Pandi	84,250	1.25	24.9

SUGAR PLANTING.

All lands that the native has found by experience unsuitable for paddy he has turned to the cultivation of sugar cane, and with excellent results. From ages past the padres have continued the custom of giving the tenants for sugar cultivation a term of three years from the first planting of the cane free of any charge; on the fourth only a part of the stipulated rent was collected, and not until the fifth and even the sixth year has the full rent been paid.

A trial and an experiment was made on the estate of Calamba. as follows: Four areas, equal to 400 square meters, were measured out and planted in the usual way with cane. It produced 160 arrobas, equal to 1,904 kilos. of cane, which, milled in an ordinary mill, gave 20 arrobas, or 3 piculs, 65 current sugar. The hectare or 2½ acres tried produced 91.25 piculs of raw sugar. The land selected for the purpose was not of the best, as the padres desired to arrive at the truth of what the average land could actually produce.

Taking the value of a picul of sugar at \$3 Mexican, 91.25 piculs produced in value \$273.75. The cost of cultivation, viz, interest on

capital invested, laid out in carabaos, building, machinery, labor milling, etc., panned out \$160 per 2½ acres, or \$1.75 per picul of sugar, leaving a net profit of \$113.75.

The annual rent supposed to be charged to tenants for rent for every hectare or 2½ acres was \$5, or \$2 per acre, to be paid in cash or in produce, but even this amount was seldom collected in full.

The following table shows the number of acres under sugar cultivation in the year 1896. The number of piculs produced, the value of same, and the rent paid to the padres.

	Acres.	Production.	Value.	Rent.
Calamba	12,680	801,880	\$905,640	\$17,586
Santa Rosa	6,767	164,676	494,028	10,352
Binan	2,552	62,000	186,600	5,312
Total	21,999	528,556	1,586,268	33,200

The above table shows the percentage value of rent collected by the padres was only \$3.77 per hectare or 2½ acres, in place of \$5. Bringing the equivalent to acres, instead of the padres receiving \$2 they only collected \$1.50 per acre, or a deficiency of \$10,798.

Besides the 21,999 acres under cultivation on which the padres derived rent, there were in the estate of Calamba a further 15,932 acres under cultivation, but on which the padres, according to their custom, would not derive rent until the year 1902, according to agreement with the tenants. Besides this, out of the lands at present under cultivation of "paddy" in the estates of Santa Rosa and Binan, 9,000 acres could be turned to sugar-cane cultivation with excellent results, as the lands are suitable for cane culture. Also in the estate of Naic and Santa Cruz large tracts of land were undergoing sugar planting, but of which the padres were not participating rent; only 3,190 acres paid rent, but, unfortunately, the insurrection caused the loss of the books, and as the details could not be verified the production and rent of this 3,190 acres are not taken into account.

The natives or tenants on the estates of Lolomboy and Pandi did not join for sugar-cane planting, entirely dedicating themselves to the planting of paddy, believing the land not suitable for sugar cane.

The primitive way of the natives in preparing the land for sugar planting is not conducive to exacting the full producing strength of the land or the saccharine matter in the cane. For example, the natives simply use a plow, home manufactured, that only turns over the earth to the depth of five-sixths inch; also, he does not understand any scientific methods of using fertilizers or the wonderful productive qualities of the soil in the case of ratooning. Seldom does the native have the old plants for more than two years without fresh planting, although experience has proved that some farms can produce up to four years without fresh planting.

In view of the facts already given that in only three of the estates situated on the Laguna there are 45,000 acres excellently suited to the culture of sugar cane. Say out of the said 45,000 acres only 30,000 were kept constantly under culture of sugar cane and the balance of 15,000 acres for the supply of alternate planting to give the land time to rest, the 30,000 acres under constant production would give a result of 1,095,000 piculs of raw sugar, or 75,000 tons annually,

whose market value would give, at the rate of \$3 per picul, the total value of \$3,285,000. Deduct the cost of planting, labor, milling, etc., at the rate of \$1.75 per picul, and the result leaves a profit of \$1,369,000. This result could be easily doubled by a systematic and scientific farming by using European plows, helping the ground with fertilizers, and extracting all the juice from the cane by modern machinery.

There are other products from which the padres received no rent, such as the abundance of firewood growing on the uncultivated lands. This production, handled properly, would give excellent results and a profitable revenue. Also the bamboo, which in this country is of inestimable value, serving the native for all his materials to erect a house down to a succulent dish. At the present day bamboo canes are sold in Manila from \$5 to \$10 per 100, and on the estate there are millions on which the tenants make no returns to the landlords.

In the forests are found most valuable timber of the finest quality for building and the making of furniture. Woodcutting did return a small rent to the padres, but the industry was only worked to supply the immediate requirement for building of houses on the estates.

So far no mineral has been discovered on any of the estates. There are several stone quarries, especially in the estate of Pandi, where a fairly large business is done with Manila with the stones quarried, calle "Meycauayan." Hemp planting can be carried on to a success; excellent qualities are grown; but the padres did not take any interest in making a business of this valuable product.

The cocoanut grows abundantly on the lake estates, and the natives make large sums of money in selling dry cocoanut, called "copra," every native calculating a net income of from \$1 to \$2 for every tree yearly, and some have plantations of 20,000 to 30,000 trees. Plantations last for one hundred years without replanting.

This taken in hand should give a good and profitable income. The following table shows the lands under cultivation of all the estates, the production and rents derived by the padres, figures which can be verified by the books of the padres:

Products.	Calamba.	Santa Rosa.	Binan.	Santa Cruz.	Nale.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Paddy cultivation.....	2,260	4,715	5,082	6,482	3,400
Sugar cane.....	12,680	6,767	2,552	1,940	1,400
Other products.....	2,125				1,300
Building plots.....	1,525	495	900	382	100
Grazing lands.....	16,337	490		11,250	9,000
Timber.....	3,787				
Streets, rivers, etc.....	2,310	82	115	1,577	1,200
Total.....	41,024	12,499	8,649	42,621	29,300

Products.	Lolomboy.	Pandi.	Oriong.*	Total.	Rents.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	
Paddy cultivation.....	11,385	16,750		28,135	\$17,100
Sugar cane.....				25,200	2,300
Other products.....				3,322	1,200
Building plots.....	300	220		520	800
Grazing lands.....	317	6,825		7,142	4,000
Timber.....				3,787	0
Streets, rivers, etc.....	195	962		1,157	
Total.....	12,197	24,757		40,954	\$25,400

* No particulars can be given. Books in possession of the insurgents.

has been planted both on the Laguna estate and on the Cavite both giving good results, but as there have been no market and industries to take off the production, the natives have discontinued.

A central sugar mill and refineries should give a splendid result, what is required is concentration of business on each estate and the giving out of the lands to tenants, with the understanding that the cultivation must be carried on.

Contracts of tenants have, with the exception of a few which terminate the year 1902, all lapsed, and new contracts on a business and profitable basis could be entered into.

Coffee has been cultivated on the estate of Naic, and until the trees were destroyed by a fly the coffee produced was famed for being the best in the Philippines.

Business.

The PHILIPPINE SUGAR ESTATES
DEVELOPMENT COMPANY, LIMITED,
Manila.

No. 2.

REPORT.

June 27 last the court of first instance of Cavite ordered the justices of the peace of Santa Cruz de Malabon and Naic to give possession to the Philippine Sugar Estates Development Company, Limited, of the estates which comprise both villages, the company having, for that purpose, proven previously its ownership before said court. Under said orders the public crier had to announce the aforesaid possession to the holders of lands on said estates, and said orders were successively filed with the respective justices of peace on June 28 and August 21 following. But at the instigation of the principal president of Santa Cruz, using the police thereof, and aided by the army officer in command of the detachment there, the execution of said order was prevented and a popular tumult against judicial possession was raised, which was reported to his honor the governor by a letter dated July 17, and by a report presented during the conference we had with him a few days later. And also at the instigation of the vice-president of the village of Naic a similar tumult was raised on August 22 next, which was also reported to the aforesaid authority by telegraph on the same day.

Both of the tumultuous meetings had the characteristics of meetings of sedition and public disturbance, a criminal complaint was filed with the judge, Mr. Villamor, during the first period of sessions in Cavite. He very slowly heard some of the evidence, and manifestly coercing the witnesses, not allowing the representatives of the company, contrary to law, to be present at their examination and locking the witnesses up, as if they were criminals, in a prison. Both the judge and the prosecuting attorney of the province did not allow the witnesses to give affirmative evidence upon the facts stated in the criminal complaint and which affected directly the principal president of Santa Cruz and the vice-president of Naic; and the said judge closed the period of sessions in Cavite without reaching to the accuser the decision he was bound to render.

according to the provision of section 13 of the law of criminal procedure of April 23, 1900.

3. In the judicial record of the proceedings for possession referred to in No. 1 a petition in the name of the municipal council Santa Cruz was filed objecting to the possession which had been granted by order to the company, said council, contrary to law, assenting the individual representation of the holders of land on said estate a representation which the judge admitted, with the approval of prosecuting attorney, although the representative of the company filed a written protest against it.

4. The person who filed the protest in the name of the municipal council attached thereto a true copy of the minutes of the session held by said council on July 19, in which it voted to object, as has been stated, to appoint for this purpose a representative and "to open a provisional contribution during the time of the suit or until its termination, levied proportionally upon the rice fields of this village (Santa Cruz de Malabon), at the rate of \$3 Mexican for each cavan of rice seed, which shall be exacted from the owner or owners in possession of said lands," and as this resolution, copied literally, constitutes an exaction of an illegal tax, as the municipal code does not authorize a criminal complaint against it was filed in the court of Cavite in the name of the company, it being a crime defined in sections 213 to 215 of the penal code. A new record was opened with this complaint which the judge, on September 6, with the approval of the prosecuting attorney, dismissed by wrongfully supposing that said contribution was not a tax, although the underlined words, "which shall be exacted" reveal it clearly. This decision is pending on appeal in the supreme court of justice.

5. The clerk of Cavite advised Judge Villamor, who was then in Laguna, as the first period of sessions for said province had been opened, by telegraph, of the filing of the petition referred to in No. 3, the Judge answering him by telegraph to advise the justice of the peace of Santa Cruz to suspend the possession decreed on June 27 last, said judge thereby, and by telegraph, carrying out one of the acts which show clearly his partiality.

6. Against the possession of the estate of Naic there was also filed an objection in the same record by a few of the tenants thereof, who afterwards conferred their power of attorney upon the lawyer Calderon, and, although by an order of August 28, Judge Villamor ordered that said possession be provisionally suspended, and asked the justice of the peace to investigate if the lands in possession of the signers of the petition constituted the whole area of the estate, when the justice of the peace received said order he had already complied with the one of June 27, and notwithstanding this the judge of Cavite rendered his final judgment dismissing the case and leaving without effect the aforesaid possession, against which decision the company also appealed, the appeal being pending for decision in the supreme court.

In July last the presidents and vice-presidents of the company had a conference with the Hon. Mr. Taft, and he advised them not to begin any action for recovering the lands of the estate until the new Code of Civil Procedures, soon to be approved by the civil Commission, went into force, and so the directors of the company agreed. When said code entered into force on October 1, during the first

of said month, civil suits, in the name of the company, were instituted before the justice of the peace of Santa Cruz de Malabon for recovering the payment of rents due from Jose del Rosario, municipal president, and by his mother for lands. Both were summoned to appear on different days. The first failed to make his appearance, alleging that the day set coincided with the day appointed for the meeting of the municipal presidents in Cavite, and the second having refused to appear, judgment by default was rendered against her by the auxiliary justice of the peace which the justice of the peace had deputed, basing this delegation upon the fact that he had filed his resignation. But when the case was ready for decision, after abundant evidence had been produced by the company, the complainant, he received telegraphic orders from the executive secretary to cease in his functions. To be brief, we refer to the considerations in reference to such an act contained in the letter dated October 26 and addressed the honorable civil governor of the islands.

8. The municipal president, Jose del Rosario, ordered, in the same village of Santa Cruz, the walls of the main building of the company in the estate to be torn down, under the pretext of using the material thereof on the highways. The army lieutenant furnished him with the necessary wagons for the transportation thereof, and neither the prohibition of the justice of the peace nor the fact of said justice closing the doors of said building by virtue of a complaint filed against such an act by the representative of the company made him desist from his work of destruction.

9. In the month of September last the municipal presidents of the different villages of Bulacan, within the limits of which the company has two estates, received a circular signed by the lawyer Felipe Calderon and by Paciano Rizel, inviting their respective municipalities to give a full power of attorney to some person to represent them in a meeting to be held at the house of Calderon on Sunday, 23d of the same month, for the purpose of discussing means of restoring the estates of friars which are without legal titles of ownership to the rightful owners and to bring about by all means possible the purchase of those having perfect titles. We are ignorant of the resolution adopted by said meeting, but judging from what has happened since then in the village of Marikao, where the municipal president declared himself hostile to the company, incited several tenants, who had already renewed their contracts, against it, and tried to raise the village against its representatives, it may be presumed that said meeting did not deal precisely with the genuineness or falsity of the titles to the estates, nor was this incumbent upon it, but that said meeting decided upon a general opposition and resistance against the occupation of all said estates, as our tenants had stated in the declaration filed with their municipalities, in Marikao, for the purposes of contributions levied by the municipal code and which were adopted by their representative presidents in addition to the fact that the genuineness thereof could be ascertained by reference to the register of property in charge of the provincial treasurer.

10. The aforesaid declaration was also filed in due time in the villages of Santa Rosa, Binan, and Calamba; in Laguna, Santa Cruz, and Cavite; but only the president and clerk of the municipality of Santa Rosa accepted them. The municipalities of the other villages, perhaps by indirect orders, refused to accept the declarations.

11. The suspension of the justice of peace of Marilao is undoubtedly connected with the fact set forth in No. 9, which suspension took place immediately after his having rendered a judgment in one of the actions instituted by the company against the tenants who, having renewed their contracts, refused payment of rent, and was about to render judgment in another case, a suspension of which he was advised of by wire by the executive secretary, and which was certainly due to a claim based upon false pretexts and incorrect reports presented to the honorable civil governor by Attorney Calderon on behalf of different individuals of the same village.

12. And, lastly, the facts stated have aggravated the situation of the company, making its existence very nearly impossible, because these facts are made use of by Calderon and his adherents for scattering among the tenants of the estates the false belief that they (Calderon and party) work with the approval of the American authorities and can count on their officious protection. And if a prompt and salutary correction is not imposed upon them to convince them of so serious an error the losses of more than \$500,000, which the company has already suffered, will largely increase, as the present agricultural year will soon come to an end and as the time approaches for collecting the respective rents for this year.

The PHILIPPINE SUGAR ESTATES

DEVELOPMENT CO., LIMITED.

FRANCO GUTIERRES, *El Admor Gral.*

MANILA, *December, 1901.*

REPORT.

I. En 27 de Junio último, el Juzgado de Primera Instancia de Cavite ordenó á los Jueces de Paz de Santa Cruz de Malabon y de Naic, diere posesión á "The Philippine Sugar States Development Company, Limited" de las Haciendas que comprenden ambos pueblos, habiéndose acreditado para ello, previamente, su propiedad por la Compañía en aquel Juzgado. Esas órdenes habian de cumplirse por medio de publicación de bandillos, en que se diera á conocer á los terratenientes de las Haciendas la expresada posesión judicial, y fueron presentadas sucesivamente á los respectivos Jueces de Paz en 15 de Julio y 21 de Agosto siguientes. Pero á excitación del Presidente Municipal de Santa Cruz, valiéndose de la misma policía, y secundado por el Oficial del ejército destacado en el mismo pueblo, se impidió su ejecución promoviendo un alboroto popular contra la posesión referida, de lo que se dió conocimiento al Honorable Gobernador Civil, en carta de 17 del mismo mes de Julio. "report" presentado en la conferencia que con él celebramos á los pocos días. Y por último, á excitación también del Vice-Presidente del mismo pueblo de Naic, se efectuó un tumulto parecido en 22 de Agosto siguiente, del que igualmente se dió conocimiento á aquella Autoridad en telegrama del mismo día.

II. Una y otra manifestación tumultuaria, por revestir los caracteres de los delitos de sedición y desórdenes públicos, fueron denunciadas al Juez Villamor durante el primer periodo de sus sesiones en Cavite, que con gran lentitud recibió algunos testimonios que se produjeron ejerciendo coacción manifiesta sobre los testigos, cuyas declaraciones no permitió, contra derecho, fueran presenciadas por el representante

pañía, teniéndolos encerrados, como si fueran reos, en una celda, opúsose, lo mismo que el Fiscal Provincial, á que declararon declarativamente sobre los hechos denunciados que más directamente afectaban al Presidente Municipal de Sta Cruz y al Vice-Presidente Naic, y por ultimo el mencionado Juez cerró el periodo de sesiones en Cavite, sin comunicar al denunciante la determinación que se tomará, conforme á lo dispuesto en la seccion 13 de la Ley de Procedimiento criminal de 23 de Abril de 1900.

En el Expediente judicial para la posesion referida en el numero 10 se presentó á nombre del consejo Municipal de Santa Cruz una oposicion á la posesion mandada dar á la Compañía, y se contra ley aquel Consejo la representacion individual de los representantes de la Hacienda, representacion que el Juez admitió y se acordó con el Fiscal, á pesar de la razonada protesta que contra la posesion presentó por escrito el representante de la Compañía.

El representante que presentó el escrito de oposicion en nombre del Consejo Municipal, acompañó copia autentica del acto de la sesion celebrada el 19 de Julio, acordando oponerse como se ha dicho, nombrar al representante al que le habia de representar, y "abrir una contribucion mensual, interin dure el pleito ó hasta su terminacion, mediante una cuota porcional de los terrenos palayeros de este pueblo (el de Santa Catalina), bajo el tipo de tres pesos mexicanos por cada cavan de arroz, la que Sera Exigida al dueño ó dueños que posean dichos terrenos, y como ese acuerdo, literalmente copiado, constituya la exaccion de un impuesto ilegal, por no estar autorizada por el Código Penal, se denunció al mismo Juzgado de Cavite á nombre de la Compañía el delito cuyos caracteres revestia definidos en los artículos 10 y 11 del Código Penal, formandose pieza separada de esa denuncia. El Juez Villamor sobreseyó en 6 de Septiembre de acuerdo con el Fiscal, por suponer torcidamente que esa contribucion no fue impuesta, lo bien claramente lo revelan las palabras subrayadas: "la cuota exigida." Esa decision pende de apelacion en la Corte Suprema.

El Escribano de Cavite comunicó por telegrama al Juez Villamor, que estaba en la Laguna por estar abierto entonces en esa provincia el periodo de sesiones, la presentación del escrito referido en el numero 10, contestándole telegraficamente que comunicara al Juez Villamor que suspendiese la posesion acordada en el auto de 27 de Julio, con lo que realizó aquel Juez y por telegrama, uno de los cuales que revelan palpablemente su parcialidad.

Para la posesion de la Hacienda de Naic, se presentaron tambien en el mismo expediente por unos cuantos de sus inquilinos, y fueron despues al Abogado Calderon, y aunque en providencia de Agosto mandó el Juez Villamor suspender provisionalmente la posesion y pedí del Juez de Paz averiguase si los terrenos poseidos por los inquilinos firmaban el escrito constituían la totalidad de la Hacienda, como esa orden ya habia el Juez de Paz cumplido la de 27 de Julio, sin embargo el Juez de Cavite dictó resolution definitiva en el expediente y declarando sin efecto la referida posesion, tambien ha apelado la Compañía estando pendiente de fallo en la Corte Suprema.

En Julio ultimo los Señores Presidente y Vice-Presidentes de la Compañía celebraron una conferencia con el Hon. Mr. Taft, y este les dijo que no hicieran gestiones judiciales para recobrar los ter-

renos de las Haciendas, hasta que comenzase á regir el Código de cedimiento en juicios civiles, que estaba proximo á aprobar la Comision civil, acordandolo así la Junta Directiva de la Compañia. Pero puesto en vigor ese Código en Primero de Octubre, se inició á nombre de la Compañia en los primeros dias de dicho mes, juicios civiles ante el Juzgado de Paz de Santa Cruz de Malabon, en reclamacion de pago del arrendamiento de terrenos adeudados por José del Rosario, Presidente Municipal y por su madre. Citados uno y otro para distintos dias, excusando el primero su comparecencia por enfermedad, el señalado para ella con la asamblea de Presidentes Municipales de Cavite, y habiendose negado á hacerlo la segunda, celebros el Juez de Paz Auxiliar, por haber delegado el propietario, fundandose en que tenia presentada su dimision. cuando estaba para fallarlo, despues de producidas superabundantes pruebas por la Compañia demandante, recibio del Secretario Ejecutivo un orden telegrafica para que cesara en sus funciones. Para no caer en remitimonos á las consideraciones expuestas sobre tal hecho en el párrafo VIII. En el mismo mes de Octubre al Hon. Gobernador Civil de las

VIII. En el mismo pueblo de Santa Cruz, dispuso el Presidente Municipal José del Rosario, destruir los muros de la casa Hacienda propia de la Compañia, con pretexto de aprovechar sus materiales para las calzadas, consiguiendo del teniente militar los carros necesarios para su conduccion, sin que le detuvieran en su obra destructora la prevencion en contrario que le hizo el Juez de Paz, ni el que estubo cerradas las puertas del edificio, en virtud de la denuncia de tal hazaña. le presento el representante de la Compañia.

IX. En el mes de Septiembre ultimo, recibieron los Presidentes Municipales de varios pueblos de Bulacan, en cuyos terminos poseia la Compañia dos Haciendas, una circular firmada por el Abogado Isidoro Calderon y por Paciano Rizal, invitandoles á que sus respectivos Municipios apoderaran en forma á una persona que les representase en la reunion que se celebraria en la casa del Calderon, el domingo 2 de Septiembre del mismo mes, al objeto de ver los medios conducentes para reivindicar las Haciendas de los frailes que carezcan de legitimos titulos de propiedad y conseguir á todo trance la compra de las que los tuvieran en posesion. Ignoramos que acuerdos se tomaron en aquella reunion, pero á juicio de los que por lo ocurrido desde entonces en el pueblo de Marilao, en que el Presidente Municipal se declaró hostil á la Compañia, predispuso contra ella á varios inquilinos que habian ya renovado sus contratos, trató de levantar al pueblo contra sus representantes, es de presumir que en aquella reunion no se trató precisamente de la legitimidad de los titulos de las Haciendas, ni eso les incumbia, sino que debió acordarse la oposicion y resistencia general contra ellas; ya que los nuestros se habian manifestado en las declaraciones presentadas á sus Municipios, incluso el de Marilao, para la contencion impuesta en el Código Municipal, y fueron admitidas por los Presidentes respectivos, á mas de poderse adquirir el conocimiento de su legitimidad en el registro de la propiedad á cargo del Tesoro Provincial.

X. Las referidas declaraciones se presentaron tambien oportunamente en los pueblos de Sta. Rosa, Biñan y Calamba, en la Laguna, Sta. Cruz y Naic, en Cavi, pero solo fueron admitidas por el Presidente y Secretario del Municipio de Santa Rosa, habiendose negado admitirlas, por consigna quizas, los Municipios de los demás pue-

Tiene relacion sin duda con el hecho señalado en el número 9, ension del Juez de Paz de Marilao, apenas habia fallado un le los promovidos por la Compañía contra los inquilinos que, do renovado sus contratos, se negaban á pagar y cuando estaba allar en otro; sus pension que le comunico por telegrafo el Sec- Ejecutivo, y que obedeció ciertamente á reclamacion fundada les pretextos é inexactos informes presentados al Hon. Gober- Civil por el Abogado calderon á nombre de varios individuos del pueblo.

Y por ultimo: Los hechos expuestos han venido á agravar la on de la Compañía haciendo casi impossible su vida, pues son los por Calderon y comparsa, para esparcir entre los inquilinos Haciendas la falsa creencia de que obran de acuerdo y cuentan eficaz proteccion de las Autorida des americanas: Y si no se les pronte y saludable correctivo que haga desvanecer tan grave las peridas de mas de quinientos mil pesos que ya ha experi- lo la Compañía, adquirirían considerable aumento por estar para r al presente año agricola, y acercarse el tiempo de la cobranza rentas respectivas al mismo año.

ila, 5 de Diciembre de 1901.

THE EXCLUSIVE RIGHT OF THE BANCO ESPAÑOL-FILIPINO TO ISSUE CIRCULATING NOTES IN THE PHILIPPINE ISLANDS.

From the honorable the secretary of finance and justice to the directors of the Banco Filipino submitting statement of conditions which, in his opinion, should govern the issue of circulating notes in the Philippines.)

UNITED STATES PHILIPPINE COMMISSION,
Manila, P. I., September 24, 1901.

DEAR SIR: The subject of legislation upon the banking system Philippine Islands is likely to be taken up at the next session of Congress of the United States, which begins in December. Instructions have already reached the civil government from the War Department to prepare suggestions on this subject, and especially to adopt measures which will insure the safety of public funds and of all notes that may be allowed to circulate as money.

It seems desirable to the insular government that the regulations governing similar classes of banks in these islands, and especially the regulations governing the issue of circulating notes, should as nearly as possible be uniform, and should apply, not only to your bank, but to other which may be established here. The change in conditions, since the transfer of sovereignty in these islands from Spain to the United States, that there is a strong demand for American banks for the issue of circulating notes upon the American system. It is no desire to infringe upon the privileges of your institution as they are compatible with commercial interests and the government of these islands. It is probable, however, that the Congress of the United States will refuse to consider the privilege of note issue as being to your establishment to be exclusive.

The subject of enacting a uniform banking law is likely to be considered at Washington, whether the insular government so advises or not. I think I may safely state that any regulations governing

banks will be enforced with absolute impartiality and with the rigor upon new banks as upon old.

In view of these considerations, I desire to submit to you a statement of the conditions which, in my opinion, should govern the issue of circulating notes in these islands. It is understood that any suggestions must have the ratification of the Executive Government at Washington and the Congress of the United States before they can be embodied into law, and it is not in the power of the insular government to assure you positively that these suggestions will be embodied into law. It will be obvious to you, however, that agreement between the representatives of your establishment and the insular government upon recommendations to the War Department at Washington will be more likely than the absence of such agreement to secure what is desired.

The conditions which I believe should be accepted by your establishment regard to the issue of circulating notes are conditions which for the most part govern all banks of issue in the United States, and are supported by official and public opinion in that country. The conditions which I therefore suggest for your consideration are these:

The privilege of issuing notes to circulate as money shall not be limited to any one bank.

The total amount of circulation shall not exceed the total amount of the paid-up capital.

The circulating notes shall have a prior claim over all other obligations of the bank in case of failure or liquidation, except obligations to the Government of the United States or that of the islands.

Bonds of the United States or of the insular government to the amount of \$50,000 shall be deposited by the bank in the custody of the insular treasury or the Treasury of the United States, as may be prescribed by Congress or the insular government. This is in accordance with the national banking act of the United States, which requires a national bank issuing circulating notes to deposit such bonds to the amount of 25 per cent of its authorized capital, but such deposit need not be more than \$50,000. These bonds remain the property of the bank while in the custody of the Treasury. The interest upon them is regularly paid to the bank by checks upon the Treasury at Washington, but in case of failure the bonds would be sold in the open market and the proceeds of such sale used as a part of the assets of the bank for paying its debts. The proposition herewith submitted to you is much more generous than that extended to banks in the United States by the American law, which requires bonds to be deposited with the Treasury to the full face value of the circulating notes which are issued. It is recognized that this requirement of American law would subject you to a larger investment in such bonds than you desire to make. A more liberal system of note issue is therefore proposed in the case of your bank than that prescribed for banks in the United States, and a liberal system in this respect may be recommended in regard to other banks established in these islands, but not in any more liberal than the proposition submitted in respect to your establishment.

All notes shall be issued by the Comptroller of the Currency at Washington, and plates and dies for making notes shall be in his custody in order to prevent issues in violation of law.

The notes shall not be legal tender.

The circulation actually outstanding shall pay a tax of one-half of 1 per cent per annum.

All banks shall be subject to such additional taxation as may be provided by general laws.

A cash reserve shall be held against notes outstanding equal to 25 per cent of the total amount of such notes, but half of such reserve may consist of gold bills upon foreign countries or deposits in domestic or foreign banks having the sanction of the insular government.

Of this reserve of 25 per cent the bank shall keep one-fifth, amounting to 5 per cent of its outstanding circulation, in the custody of the Comptroller of the Currency of the United States, or his representative in the Philippine Islands, for the purpose of redeeming notes which may be received for public dues or from other banks.

The bank shall, if requested by the insular government, enter into a clearing agreement with other banks in the Philippine Islands for the mutual exchange of obligations.

You will observe that the requirements regarding the cash reserve are less severe than the Spanish law now in force, which requires that the reserve be held entirely in idle cash in the vaults of the bank.

There are certain other conditions relating to the making of reports, the right of visitation, and similar matters of supervision, which will probably be enforced upon all banks by American law, but as they have, to a large extent, been enforced by Spanish law and would not affect your earnings or financial condition, I do not think it necessary to enter more specifically into them at this time.

If these conditions are acceptable to your establishment, I am willing to make a recommendation to the Government of the United States that the limit of your circulation be fixed at an amount exclusive of that portion of your issue prior to the year 1884 which has not been presented for redemption, provided that you pay a part of the face value of such outstanding issue into the insular treasury, such payment to be held only as a guaranty for the redemption of the notes in case they are presented. If the other conditions which I have suggested are acceptable, I shall be glad to discuss with you in more detail the arrangements regarding the taking up of cancellation of your old issue.

I would be pleased, if agreeable to you, to have a response at the earliest practicable moment to this communication, as a representative of the War Department, specially charged with the consideration of coinage and banking, is now in the city and desires to leave before the close of the present month.

Very respectfully, yours,

HENRY C. IDE,
Commissioner.

THE DIRECTORS OF THE BANCO ESPAÑOL-FILIPINO,
Manila, P. I.

Letter from the directors of the Banco Español-Filipino, asking that a day be designated by the United States, at which delegates of the said bank may call to discuss the proposed legislation.

MANILA, November 19, 1901.

Hon. HENRY C. IDE.

DEAR SIR: We shall be much obliged if, at your convenience, you would fix an hour on any suitable day when we can call on

you, accompanied by the delegates of the shareholders of the bank, in order to discuss the question of the charter of the bank.

Very respectfully, yours,

VENANCIO BASBAS.
JOSE DE LA ROSA.

[Secretary of finance and justice designates November 22 as the day for the directors and delegates of shareholders to discuss the charter of the Banco Español-Filipino.]

DEPARTMENT OF FINANCE AND JUSTICE,
Manila, November 20, 1901.

The DIRECTORS OF BANCO ESPAÑOL-FILIPINO,
Manila, P. I.

GENTLEMEN: Replying to your letter of the 19th of November, requesting me to fix an hour on any suitable day when you might call upon me, accompanied by delegates of the shareholders of your bank, to discuss the question of the charter of the bank, I beg to inform you that I shall be pleased to meet you and the other gentlemen referred to in my office in the ayuntamiento at 9 o'clock in the morning of Friday, November 22.

Very respectfully,

HENRY U. IDE,
Secretary of Finance and Justice.

[Interview between the honorable the secretary of finance and justice and Señors Balbas and Larosa, managing directors of the Banco Español-Filipino, and committees appointed by shareholders of that bank, consisting of Señors Alonzo and Osorio, and their attorney, Mr. Marple.]

AYUNTAMIENTO, *Manila, November 22, 1901.*

JUDGE IDE. Gentlemen, what you wish to talk about are the matters expressed in a letter dated September 24, 1901, which I addressed to the directors of your bank.—A. Yes, sir.

ATTORNEY. I purposely came late, not out of disrespect, but I knew that the managing directors, Señors Balbas and Larosa, could express themselves so as to be understood. My understanding was that this conference is purely an informal one, for an exchange of ideas between the representatives of the bank and yourself, before making any matter of record at all, and with the idea that we might come together with some feasible plan, in which case, with your cooperation, we will address you in writing a plan which if you could approve, would facilitate matters very much. The first question that presents itself to the bank, and which the communication does not seem to give the force to that the stockholders and bank officers place upon it, is the exclusive right which the bank enjoys, as, of course, you are aware under its charter and the code of commerce, of issuing paper money. Now, we thought that perhaps that question had better be taken up first, and would like, if possible, to agree upon the effect given to that. The Spanish counsel of the Bank of Spain long ago gave it as his opinion that that was a right which, under the treaty of Paris and general principles of international law, would be unquestionably recognized by the United States, and I have expressed the same opinion. The value of it to the bank has been great, and unquestionably would be in the future. Now, the letter, although referring to that of

course, does not clearly raise the question, and that is the object, I take, of the delegation here—to obtain, if possible, an idea as to the position of the Government in treating with the bank on this subject, because this letter in asking us to practically forego that privilege expressly states that whatever provisions are made by the proposed law could be open to all other banks, and I think the meeting of the delegation is with the idea to really impress upon you what we hold to be the sovereign right of the bank—that it is an asset, and is a right which the Government should consider in asking us to conform to the proposed law.

Judge IDE. If that position is correct, it would follow that the Government of the United States would have no power to exercise one of the highest governmental functions in these islands for many years, and that the needs of the islands for a circulating medium in the form of a convenient currency that is entirely different from the heavy and bulky silver, which is impracticable for large commercial interests, could not be met; silver would be the only currency available here for a long series of years, except the limited issue of notes by your bank. It would be the perpetuation of not only a monopoly, which is alien to the principles of our Constitution, but the perpetuation of a monopoly which partakes of the functions of the Government itself. The Constitution of the United States forbids any State to coin money, and under the decision of the Supreme Court substantially the whole matter of a circulating medium, that should be good throughout the country, is in the hands of Congress. But the issuance of currency is regarded as so vital a function of the Government that, so far as coinage is concerned, it was provided for in the Constitution, and the laws of Congress have regulated it so far as circulating notes are involved.

Now, it did not seem to me, nor to any of the Commission, that there was anything in the treaty of Paris that bound the United States Government to hand over one of the functions of government to any corporation in these islands, and when our sovereign power came in here, while it recognized under the treaty existing corporations, it did not thereby recognize the right of exercising the functions of government in any such corporations or institutions. The Government has the right, and, under repeated decisions of the courts of last resort, has been held to have the right to regulate banking. We had that question, in another form, raised in the laws that were passed here with relation to the examination of banks, reports by banks, and penalties for failure to make adequate reports, or for failure to give the examiners access to all books and papers necessary for the examination. It is manifest that, if the whole terms of the charter of the Spanish-Filipino Bank are operative to their full extent, including the matter of regulating, governing, taxing, inspecting, etc., there is nothing our Government could do in relation to those subjects except to follow the provisions of the charter. Upon the passage by the Commission of the laws referred to, one of the banks appealed to the Administration at Washington. The question was referred to the proper officials and full report made. It was ruled that it was one of the fundamental functions of any government to regulate banks; one of the functions of government as much as the passage of laws against crime, or enacting laws regulating navigation, shipping privileges along the coast, in the bays and harbors, and that the legislation that

had been enacted here upon those lines was strictly in order, and also that it was a suitable and proper regulation of banking.

Now, that it did not involve the question that we are now speaking of, but it involved the principle that the establishment, maintenance and continuance of banks, providing currency for the people, is a governmental function of such character that the government must regulate and control it within such bounds as it sees fit. It has the power of taxation, also a fundamental power of government, and can impose heavy taxation upon banks and banking, and it is entirely legitimate for it to do so, as has been done more than once in our own country. The Government of the United States, notwithstanding the charters of the State banks, imposes a tax of 10 per cent upon circulating money issued by the banks of any State. This was done for the purpose of preventing any State bank from issuing currency; of course, no State bank could issue money and pay 10 per cent; the tax is destructive of that element of banking; not destructive of banks, for any bank can carry on a banking business, but can not issue currency, and the consequence is that, instead of having thirty or forty different kinds of currency, we have paper that is of equal value in every part of the country and always at par. So we had thought that the regulating of banks, and especially the issuing of currency, was a matter that was so governmental in its nature, partook so much of the power of the government itself, that it was not the purpose of the treaty of Paris to interfere with the exercise of such a governmental principle, but it was to preserve the existing rights of corporations in the conduct of their business, subject to such proper legislation as might be necessary and just to all.

The Secretary, or the Chief of the Bureau of Insular Affairs at Washington, who has charge of insular matters quite largely, under the Secretary of War, telegraphed to us, after receiving the report of your bank, that it was considered unsafe to have so large an amount of paper issue outstanding, with no personal liability on the part of the stockholders and with no deposit of any kind with the Government as security for the paper money thus issued, and with no prior lien on any part of the circulating notes issued, they standing like any other debts of the corporation like those of deposits of individuals and that steps ought to be taken to put that circulating medium upon a safer basis, and suggesting such steps. That recommendation of the Chief of the Division of Insular Affairs was concurred in by the Comptroller of the Currency of the United States, and likewise recommended by the Secretary of the Treasury of the United States. Upon receiving it, I asked the managing directors to meet me, and the subject was discussed informally—as we are discussing it now—because the purpose is not to invade any just rights of this bank, or to impair it, or cripple it. It is one of the institutions of the country long established here, and entitled to protection, but the views of the authorities at Washington being as I have stated, and the views held by the Commission being such as I have stated, still it was thought a great deal better to have a conference to see if this matter could be shaped without any friction, or without drastic legislation; to see if it could be shaped in such manner that the rights of the bank could be protected, and at the same time a necessary safeguard thrown around the currency. In the conferences we had here it appeared to me from the statements made by the managing directors that they were opposed to

the principles of monopoly (I think the records disclose these statements), and while they could not speak to bind their bank at all—did not undertake it—it had always seemed to them personally oppressive and unjust, and they stated that they would talk with the other stockholders interested with them on the subject. Was that understanding correct, Señor Balbas?

SEÑOR BALBAS. I could not hear what you said.

Judge IDE. What I said in substance was that in the conference we had before, you stated that while you were not authorized to speak for your bank, and did not speak for it, that personally you did not believe in monopolies, and did not think they ought to be encouraged?

SEÑOR BALBAS. Yes.

Judge IDE. Of course, it is entirely alien to all American principles that anybody should have a monopoly of anything by law, or by the operation of law. The Constitution of the States substantially all forbid the granting of any monopoly, and it would be a very anomalous thing for us to violate the spirit of our Constitution in that respect.

ATTORNEY. Judge Ide, on that point the force of your remarks I know are appreciated by the bank and the gentlemen present, because they necessarily have presented themselves to them in the consideration of this question. The bank recognized the right of the United States, necessarily, to determine the nature of the currency and the general banking conduct of the country as an element of sovereignty. I do not think that the bank expects for a moment that the Government of the United States will allow this exclusive privilege to remain. It simply asks that as a propriety right, guaranteed, as we view it, by the treaty of Paris. If the Government does wish it to continue, let it take it, as it can other property, by right of eminent domain.

For a sample on the question of monopoly there is the opinion of the Attorney-General, Mr. Griggs, in his reports of 1890. There was a question of a so-called patent from the Spanish Government, granted after American occupation here, a monopoly, an exclusive license or patent for that which would not be patentable under the American laws, and Mr. Knox upholds the issue.

Judge IDE. What was that opinion?

ATTORNEY. It was a patent concession for five years for the application of steam in the treatment of hemp in the Philippines; no claim at all that it was an invention on the part of the patentee; but claimed that it had not at that time been introduced into Spanish territory; and Mr. Griggs gave it as his opinion that the treaty protected any right which accrued and was lawful under Spanish laws, even though under American laws such a right could not exist, and even though it was a monopoly. We realize that it will be deemed by all that the grant of the Spanish Bank was a legal one under the law, and one that could not be taken from the bank without compensation. Now, the general principle is that the change of sovereignty does not divest private rights, and it seems to be more manifest in this treaty than in any other. We do not ask the Government of the United States to keep out other banks and allow us to change its currency principles, but we do think that, in view of the general principles of the treaty and the opinion of the Attorney-General on this other concession, not only our property but our rights should be protected, and if the United States does not choose to continue us in this right it is in equity and in law.

obligated to compensate us, and we have not come here to insist for a moment that we can offer obstacles to the development of the islands in the banking lines, but with the hope that this right, for which we have paid very dearly in the past, would be recognized, and some compensation made us.

Judge IDE. Of course, I have stated very imperfectly the view that our Government might take as to the binding character of this exclusive grant. I have not undertaken to go into any exhaustive or general line of argument that might be pursued; but I am glad to have your views as expressed by Mr. Marple. Probably we have not the facilities at hand for discussing that subject, and if we had we could not bind anyone. This informal statement is all very well to enable us to see the two views of it for consideration.

In the letter that was written, which is before me now, written to the bank authorities, there is a privilege suggested to be given to this bank greater than to any other bank in the Philippine Islands, in relation to the currency issue. The national banks of the United States can not issue currency without purchasing bonds of the United States to the whole amount of the currency that they issue, as the law now stands, and depositing them with the Comptroller of the Currency as security for all bank notes that it may issue, so that no bad note can get out in the United States. If the bank fails it has, right there in Washington, bonds to secure every dollar that is out; but that is a somewhat strenuous provision for the banks, as they only get about 2 per cent interest on the bonds they deposit; hence, it is discouraging to the issue of currency. Now, the recommendation that the Commission has made to the Secretary of War as to the establishment of national banks in these islands does not impose the rigid requirement: that is, it proposes that national banks shall be allowed here to issue bank notes, to a certain extent based upon their assets, without depositing bonds as security. In my letter to you it is suggested:

The total amount of circulation shall not exceed the total amount of paid-up capital stock.

The circulating notes shall have a prior claim over all other obligations of the bank in case of failure or liquidation, except obligations to the Government of the United States or that of the islands.

Bonds of the United States or of the insular government to the amount of \$50,000 shall be deposited by the bank in the custody of the insular treasury or the Treasury of the United States, as may be prescribed by Congress or the insular government. This is in accordance with the national banking act of the United States, which requires any national bank issuing circulating notes to deposit such bonds to the amount of 25 per cent of its authorized capital, but such deposits shall not be more than \$50,000. These bonds remain the property of the bank while in the custody of the Treasury. The interest upon them is regularly paid to the bank by checks upon the Treasury at Washington, but in case of failure the bonds would be sold in the open market and the proceeds of such sale used as a part of the assets of the bank for paying its notes. The proposition herewith submitted to you is much more generous than that extended to banks in the United States by the American law, which requires bonds to be deposited in the Treasury to the full face value of the circulating notes which are issued. It is recognized that this requirement of American law would subject you to a larger investment in such bonds than you desire to make. A more liberal system of note issue is, therefore, proposed in the case of your bank than that prescribed for banks in the United States, and a liberal system in this respect may be recommended in regard to other banks established in these islands but not in any case more liberal than the proposition submitted in respect to your establishment.

The proposition recommended to the Secretary of War authorize you to issue bank notes to the amount of the paid-up capital, and pro-

vides that the old bank notes that you have outstanding, issued prior to 1883 or 1884, shall not be counted as a part of that issue. That is, if you have a million and a half paid-up capital you can issue one million and a half paper money in addition to the money that was issued prior to 1883 or 1884. If the old paper comes in, you take it up, cancel it, and the result would be that gradually your circulating medium would be reduced to \$1,500,000, except as to that old paper lost or destroyed.

Señor BALBAS. The intention of the bank is to have issued that \$1,500,000, taking into account the two issues.

Judge IDE. That your issue eventually shall be reduced to the amount of the paid-up capital.

Señor BALBAS. In that letter you separate both issues.

Judge IDE. That provision relating to \$50,000 was based upon section 24, of the national bank act of the United States, section 5159 of the Revised Statutes, which provides as follows:

Every association after having complied with the provisions of this title, preliminary to the commencement of the banking business, and before it shall be authorized to commence banking business under this title, shall transfer and deliver to the Treasurer of the United States, as security for its circulating notes, any United States registered bonds bearing interest, to an amount, where the capital is one hundred and fifty thousand dollars or less, of not less than one-fourth of the capital, and fifty thousand dollars where the capital is in excess of one hundred and fifty thousand dollars.

Now, this suggestion here is right in line with the last clause, that "where the capital is in excess of \$150,000 the deposit shall be \$50,000," and so you are placed in that respect upon an even basis with any United States bank that may be authorized to come here, and those bonds stand for a certain security for such bank notes as you may issue. Then if you issue bank notes above \$50,000 in amount, under the laws pertaining to banks in the United States, you would be obliged to purchase bonds up to the amount of your issue; but it is not proposed to ask Congress to extend that feature of the national-bank act to your bank, but to provide that you may bank upon assets to the amount of your paid-up capital, and to make the bank notes a first charge upon the assets of the bank, prior to the depositors, stockholders, or anybody else.

Señor LAROSA. But that same feature would be extended to other banks that might be organized here in the future?

Judge IDE. Yes; but there is no bank that will be established here that will have any more favorable treatment than your bank. That is to say, all will be treated alike.

Señor LAROSA. I do not see how any benefit is to be derived by the Spanish Bank if the law is made general.

ATTORNEY. Of course this is contemplated a separate law. Under the national-banking laws, as now in force, this bank and no other bank can issue notes, except by authority from the Comptroller of the currency, and we take it from that that probably these great United States banks would have the right to come in here and establish agencies and issue notes, or any other banks could do so.

Judge IDE. That does not follow necessarily. It is very probable that there will be such requirements as to the directorate of banks as would prevent foreign banks from coming in here and issuing paper currency, and the right to grant a charter is always reserved. The

Comptroller of the Currency in the United States grants the charter, when the conditions are all complied with, in his discretion, but it would be very inconceivable to me that any authority in these islands would be issuing authority for foreign banks to come here and establish branches. I do not think that you would have that kind of competition.

Señor LAROSA. I expect very great competition on the part of the American banks. They are only waiting for fixed rules to be dictated to their open banks. Even the smallest bank in San Francisco, if it opened up here, could command capital ten times that of the Spanish Bank. Even if we were to make an attempt to enlarge our capital we could never compete with a bank established from San Francisco.

Judge IDE. To establish branches here they must have assets here. I do not think there is any doubt that some American banks will be established here in these islands; that Congress will legislate so that American banks will be established here; but everybody knows how conservative capital is; they will venture with some slowness. But your bank is an old institution; it has people who know the business, are well acquainted, and it will be very difficult to divert the kind of business that your bank does to any other kind of bank. No other bank would have in that respect any greater privilege than yours.

Señor BALBAS. I take it that you mean in this letter that the bank will have the power to issue notes to the extent of their capital; will be able to carry on their old issue as long as they deposit with the government bonds in amount equal to \$50,000.

Judge IDE. I do not think the letter susceptible of that meaning, because if so your old issue, which now is, in round numbers, \$2,500,000, will continue.

Señor BALBAS. I suppose it is that.

Judge IDE. I mean at the time of last statement.

Señor BALBAS. \$2,118,000.

Judge IDE. For general purposes, \$2,100,000 is enough to talk about. Now, if you have power to issue \$1,500,000 more, that would make \$3,600,000. Therefore it would be necessary for the bank to reduce it to \$1,500,000 if they did not wish to increase their capital. They would have to take up their outstanding \$600,000; it would be nearly \$500,000.

Señor BALBAS. A little more than \$400,000.

Judge IDE. I suppose that of the present issue many thousand dollars have been destroyed.

Señor BALBAS. This bank has had power to issue for fifty-five years. We think it amounts to \$600,000 destroyed.

Judge IDE. The scheme also contemplates that all the bank notes that are issued shall be on good strong paper, especially prepared for that purpose at Washington, and the plates to be prepared there.

Señor LAROSA. That would be very satisfactory to the bank -- to have the plates kept in safe custody. They are now deposited in London with other banks.

Judge IDE. Then the notes are furnished to the banks, ready for issue, except the signature of the proper officers.

ATTORNEY. You see, the difficulty that confronts us right at the start is not having any idea at all of the scope and effect of the proposed law that Congress is to enact for banking in the Philippines, with reference to allowing this same privilege that is offered to this

bank to all other banks here. If so, we get nothing in return for what we think is a protected right under the treaty. The national banking law as it now stands here, of course, is not to control here.

Judge IDE. It is not applicable here, because there is no law authorizing the establishment of national banks outside the United States.

ATTORNEY. This contemplates a new law in the way of note issues on the part of banks, different from the one that now obtains in America.

Judge IDE. It contemplates probably that greater privileges will be given here to banks in that respect than to banks at home.

Señor LAROSA. But any other banks here, so far as we know, shall have the same right that is offered to us.

Judge IDE. That is, any other bank organized here. It does not refer to any foreign bank; it is not a suggestion that an English bank can secure any rights of issuing currency or notes. In the proposed law that is all guarded against.

ATTORNEY. These English banks here could immediately bring themselves under the proposed law.

Judge IDE. They could, provided the law was so shaped that they might, but the law is not so shaped.

ATTORNEY. There is nothing there to give us any idea as to what requirements will be essential to banks here.

Judge IDE. The requirements that are to be exacted here are that they should be the banks of the citizens of the Philippine Islands, or those who have acquired the rights of citizenship under the treaty of Paris, or citizens of the United States.

ATTORNEY. Resident in the Philippines?

Judge IDE. Yes; unless the act shall authorize the establishment of branch banks, which our national banking law does not provide. They might be authorized to open branch banks here, without authority to issue circulating currency.

Wherever a bank can bank upon assets it can issue notes and pay them out very much as the exigencies of business require. The system proposed here is much more favorable than the one in effect in the United States.

ATTORNEY. We realize that the terms offered us are more liberal than those prevailing in the United States; so that will be more inducement to capital to come over here and get the increased advantages of issue, and whereas what we have had up to the present time—recognized, at any rate, under the Spanish laws, we had exclusive privilege—ceases at once, and the new privileges that we get are certainly extended to everybody else.

Judge IDE. To everybody else that will come in and undertake to do business. You have the advantage of being upon the ground, knowing everybody, and controlling the business. It is a business that requires time to take root.

Among other acts as to the foreign banks doing business here, we recommended that the --

Local authorities here be authorized to grant license to such banks as shall be authorized to conduct a banking business here.

No local authority would ever authorize a foreign bank, or branches of it, to issue circulating notes or grant the power of issuing money. We propose also to ask Congress to provide that no bank shall be established here with less than \$50,000 capital, gold. We do not think

small banks here would be useful as in the States, because the business is, much of it, international, and a bank must have at its command considerable resources. That would prevent the establishment of the little banks.

There is another provision referring to the establishment of banks with the power to issue circulating notes:

If a system of branch banks is authorized with the power to issue circulating notes, it is recommended that the Spanish-Filipino Bank of the Philippines should be brought under the same regulation. This might be done by a grant from Congress of general and unrestricted authority to the government of the Philippine Islands to regulate banking. It is probably desirable, however, in view of the claims of the Spanish Bank under its existing charter, and the possibility that such claim might become the basis of legal controversy, that special provision should be made by act of Congress, applying directly to this bank most of the regulations regarding the issue of notes which may be made to apply to the issue by national banks. Most of the regulations could be adopted by the Spanish-Filipino Bank without difficulty, except that it would probably be desirable to authorize the note issue to remain at the full amount of its paid-up capital even if the American banks are limited to a smaller percentage. The Spanish-Filipino Bank is a local institution long established, and is entitled to be treated with the same consideration that applies to all other enterprises of importance that have long been established here.

It is entirely probable that American banks established here might have as liberal concessions in regard to issue of notes as your bank would have; certainly none will have any greater. But here is a certain recognition herein and throughout our report of the fact that this institution here is not to be assaulted in any shape or have its just rights interfered with, and it is possible that Congress may make a discrimination in that respect within the several suggestions that we have been making here.

The system of banking upon assets by national banks does not exist in the United States at all. Now, that is what we are recommending shall be established here, and your bank would at any rate issue up to the full amount of its paid-up capital, and if Congress should see fit to extend it to American banks they would do so. That is the way it has gone to Congress. It is the report of the Commission; it has been considered by them and has gone forward as the views of the Commission.

SEÑOR LAROSA. How would you recommend for us to put forward our views in the matter?

Judge IDE. What do you want?

SEÑOR LAROSA. To put before the Government our views, as stated by Mr. Marple.

Judge IDE. The substance of what Mr. Marple said is that you want some compensation.

Mr. MARPLE. Something for that which we are asked to give up.

Judge IDE. You want something which other people will not have. What do you mean by compensation? What do you want?

ATTORNEY. Señor Balbas can answer that better than I.

SEÑOR BALBAS. Well, if we can not get an amount of money, we could have indirect compensation, if not direct, of a certain amount, taking into consideration what we lose; because I think—my opinion is, as I said to you—I do not like monopolies personally; I say also that the issue of notes can be abused.

* * * * *

There is not enough of that circulating medium here. If we put out four to seven million it is little enough for the country; so that

we lose something, because we could issue four millions and a half, and the bank has never issued that much.

SEÑOR LAROSA. The bank has never gone to its full extent in issuing paper. The biggest issue we ever had was three millions.

JUDGE IDE. Mr. Marple said something about the Government taking this right, by right of eminent domain, and paying for it. Do you mean that the whole bank shall assign its charter, have an appropriation made for it all, and let it go out of business?

ATTORNEY. No, sir. In answer to the letter which calls us to forego, first, the right to issue above the capital of the bank, we now have, under our charter, the right to issue up to three times the capital of the bank, and second, the letter calls upon us to forego the exclusive right to issue notes. That right now is exclusive. The position of the bank, recognizing the position announced by the United States, is that we can not with reason ask the American Government to allow it to continue to operate contrary to its principles of general banking laws, but in recognizing the right of the Government to appropriate a valuable special privilege of the bank, they ask the Government of the United States to compensate the bank in some way for the taking away of that note privilege—note issue—as proposed.

JUDGE IDE. Are you prepared to state the kind of compensation that seems to you just?

ATTORNEY. I think not. I think this was intended to be a mere formal expression of views with you, so that after this we could return and express our position—our desires—better at once in writing, meeting the objections that you might otherwise raise after receipt of the letter.

JUDGE IDE. Now, in that connection, if you were to adopt that course, I think it would be highly desirable for the bank to be very conservative in its requirements; conservative and reasonable, because this is not a matter we could be constantly bargaining upon, and your communication will get to Congress for its action. If the communication expressed something that would be exceedingly reasonable, that would appear to impress our Congressmen as being fair and reasonable—and they are not an unreasonable body of men—they will recognize what is just. While, on the other hand, if your suggestions seem preposterous and out of all bounds and reason, they might proceed without very much reference to what you want, and give much less regard to your wishes than they otherwise would. In a matter of this kind, where you have a body at a distance to deal with and can not hold conferences, it is important that the paper itself should show something reasonable—something that commends itself to the minds of those who read it as bearing an element of justice and a disposition to be fair and not to be grasping. As a business proposition, of course, you have to determine and consider that matter for yourselves. I am merely making these suggestions in your interest.

ATTORNEY. We appreciate that.

JUDGE IDE. Now, if you wish to write me, stating the basis of your claim as you have stated it here in substance, and that you think you have some rights that you think the Congress of the United States ought to recognize, either because you have them by virtue of the treaty of Paris or because you have them upon equitable and just grounds, or upon both grounds, and then stating what you think would be a fair and just method of arranging this whole matter, your letter upon its receipt by me will be communicated to the Commission, and

an additional report will be made by the Commission immediately to Congress covering this subject and inclosing a copy of your letter, so that they will have a copy of the original directly before them when Congress meets to act upon it. In that connection it should be remembered that it takes between four and five weeks for a communication to get to Washington, and it will take a little while for me to formulate a report to the Commission, for the Commission to formulate a report upon the matter to the Secretary of War, and that Congress meets on the first Tuesday in December. So it is apparent that whatever action you take should be attended to without delay.

In figuring on this, you want to include figures on the probability that all loans are not good, that all loans on hemp may not be profitable. A man who owns a sawmill can take a piece of paper and pencil and figure himself out worth \$5,000 in five years, while usually he is in debt at the end of that period.

Señor BALBAS. We are going on the assumption that an issue of notes is not at all desirable.

Señor LAROSA. Would it be asking too much if, upon receipt of your letter, we should request you to state if it clearly coincides with your views, and if it would not be asking too much, point out to us suggestions?

Judge IDE. If the Commission thought best.

Señor LAROSA. Before forwarding it to Congress.

Judge IDE. Now, one thing more. I assume from the course that this discussion has taken that there is nothing in this letter that is objectionable to you except the matter discussed here.

ATTORNEY. One thing your letter did not refer to—a matter of oversight apparently—the amount of time the bank would want in which to comply with this request for reduction of circulation—a matter of great importance. At present \$600,000 that would have to be taken up. We have made a rough calculation of how long it would take to reduce the circulation.

Judge IDE. You can state your views in this letter upon that subject. I do not remember if the length of time is stated, but we forwarded the outlines of the law to be submitted to Congress, and think there is a period stated there for the retirement of this old paper; would not undertake to state now what that period was.

[Reply of the directors of the Banco Español-Filipino to the letter of the secretary of finance and justice, dated September 24, in re the charter of the bank and the issuance of circulating ~~and~~ in the Philippines.]

MANILA, *December 6, 1901.*

Hon. HENRY C. IDE,

Member United States Philippine Commission.

DEAR SIR: We have pleasure inclosing letter written to you by us and others appointed to reply to your official letter of 24th September last.

We have all done our best to convey to you our views, but should you not agree altogether with them, we should esteem it an honor if you could allow us and the others to see you once more and explain any points which might not appear clear or adequate facilitating our task.

We are, dear sir, very respectfully, yours,

VENANCIO BALBAS, *Director.*

MANILA, P. I., *December 5, 1901.*

Hon. HENRY C. IDE,

Member United States Philippine Commission,

Manila, P. I.

SIR: The vital importance of your letter of September 24, 1901, to all those interested in the welfare of the Spanish-Filipino Bank made necessary its submission to the stockholders for their consideration and action. These have now clothed the undersigned with complete authority after conference with you to propose on behalf of the bank a plan that seems practicable as accomplishing the desires of the Government of the United States and as, at the same time, doing justice to the rights of the bank.

Under section 179 of the code of commerce and the royal decree of February 7, 1896, extending its charter until January 1, 1928, the Spanish-Filipino Bank has since 1878 possessed the right, exclusive of all other banks established or to be established in the Philippines, of issuing for circulation there demand notes, payable to bearer, and not legal tender, to the amount of three times its capital stock. The latter is now \$1,500,000 Mexican, but under its articles may be increased to 2,000,000.

We earnestly urge upon you that the plan outlined in your letter does violence to this and other rights of the bank, and will, if carried out, deprive the bank of valuable assets the enjoyment and protection which we believe were solemnly guaranteed and insured to it by the treaty of Paris. For it is thereby proposed to throw open to banks generally the right to issue such notes, and to limit the issue of these by the Spanish-Filipino Bank to the amount of its paid-up capital, and generally, to force upon the bank, irrespective of its charter rights, legislation which, in some instances at least, ought to be optional with it to accept or not.

As to the legal effect under Spanish law of this exclusive right of issue possessed by the bank there can be no question. When the ratifications of the treaty of Paris were exchanged such right was and had been for years perfect and complete. For its exercise and enjoyment until the year 1828 there was not required nor was there to be performed any act of the Spanish Government, the latter having divested itself of the right to permit any other bank in the Philippines to enjoy a similar privilege for such a period of time.

It is submitted that the treaty of Paris, as well as the universally recognized principles of international law, operate to continue and reserve the right to the bank under the Government of the United States as completely as it was enjoyed under Spanish sovereignty.

The Supreme Court of the United States has repeatedly recognized the principle that a change of sovereignty, whether by cession or conquest, in no way affects the property or vested rights of persons or corporations, but that full and equal effect and recognition will be given to these by the new sovereign, and this even though no express provision therefor should be made in the particular treaty by which the cession of territory is made or conquest confirmed.

In the recently decided case of *Ely's Administrator v. United States* (71 U. S., 220, 223) that court said:

In harmony with the rules of international law, as well as with the terms of the treaty of cession, the change of sovereignty should work no change in respect to rights and titles; that which is good before should be good after; that which the Government should be enforced after the cession.

The language of Article VIII of the treaty of Paris is most sweeping and comprehensive in its scope. By it there is declared that the cession of public domain by Spain to the United States therein made—can not in any respect impair the property rights which belong to the peaceable possession of property of all kinds * * * of public or private establishments, ecclesiastical or civil bodies, or any other association having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded.

A charter of a corporation, with the various rights and privileges secured by it, has been repeatedly recognized by the Supreme Court of the United States and of the various States as a contract and property, and as such inviolable.

Under Spanish sovereignty and at the time of the ratification of the treaty of Paris this privilege was completely vested, and was property of the bank.

In *Smith v. U. S.* (10 Peters, 330), Mr. Justice Baldwin, in delivering the opinion of the court, said:

It was never doubted by this court that property of every description in Louisiana was protected by the law of nations, the terms of the treaty, and the acts of Congress; nor that in the term property was comprehended every species of title, inchoate or perfect, embracing those rights which lie in contract, those which are executory as well as those which are executed. In this respect the relation of the inhabitants to their government is not changed. The new government takes the place of that which has passed away. * * * We have uniformly held that in ascertaining what titles would have been perfected if no cession had been made to the United States we must first refer to the general course of the law of Spain, to local usage and custom.

To the same effect are the following cases: *Soulard v. U. S.*, 4 Peters, 511; *Strother v. Lucas*, 12 Peters, 410; *Harnsby v. U. S.*, 10 Wallace, 224; *Carpenter v. Rannels*, 19 Wallace, 141; *Morton v. Nebraska*, 21 Wallace, 660; *Bryan v. Kennett*, 113 U. S., 179.

The opinion of Attorney-General Griggs of November 11, 1899, reported in volume 22, *Opinions of Attorneys-General*, 617, held valid in the Philippines a patent granted by Spain on July 11, 1898, to a Spaniard while the islands were under American occupation, and notwithstanding that the subject of the patent was not under American laws patentable. It was objected that to sustain the right asserted would be to recognize a monopoly. But the Attorney-General remarked that such a result could not cause a different construction of the treaty nor affect the constitutionality or obligatory force thereof; that it (the treaty) concerns only Spanish rights acquired under Spanish law; that the framers of it must be presumed to have known something of those rights and laws of which they were treating, and to have had in mind such laws as that of July 30, 1878, corresponding to our laws relating to patents.

There can be no question that at the time of the exchange of ratifications of the treaty the bank enjoyed Spanish nationality, and was directly within the operation and protection of the treaty. And can it be doubted that the American commissioners were cognizant of the original charter of the bank, the provisions of the code of commerce referred to, and the royal decree of 1896, whereby there was assured to the bank the exclusive privilege of issuing in the Philippines demand notes until the year 1928? Or that, with the strenuous contest for advantage by the commissioners of each of the parties to the treaty, and the evident desire of the United States to limit its obligations thereunder wherever possible, there was made no exception that would take the charter of this bank out of the sweeping and

comprehensive language of Article VIII, plainly shows the privilege of note issue to be a vested property right within the protection of that article?

Such a conclusion results from the plain and direct meaning of the language used and follows all the more when there is considered the principle of interpretation laid down by the Supreme Court of the United States, as governing in case of treaties, in *United States v. Auguisola*, reported in 1 Wallace, 359. Mr. Justice Field, in delivering the opinion of the court, there said:

To these observations, so just and pertinent, we can only add that the United States have never sought by their legislation to evade the obligations devolved upon them by the treaty of Guadalupe-Hidalgo to protect the rights of property of the inhabitants of the ceded territory, or to discharge it in a narrow and illiberal manner. * * * They have desired to act as a great nation, not seeking, in extending their authority over the ceded territory, to enforce forfeitures, but to afford protection and security to all just rights which could have been claimed by the government they succeeded.

The principle announced by the Supreme Court in *Ely's Administrator v. United States* (171 U. S., 220), that "that which was good before should be good after; that which the law enforced before should be enforced after the cession," was recognized as of controlling force by the Attorney-General of the United States in his opinion of June 5, 1899, reported on page 514, volume 22, *Opinions of the Attorneys-General*. There the Commercial Cable Company has asked for permission to land a cable in Cuba connecting that island with the United States. The company urged that to deny the concession would be to recognize a monopoly in Western Union Telegraph Company under an exclusive franchise previously granted by Spain for a period of forty years. In answer to this contention the Attorney-General said:

The mere fact that the Western Union Telegraph Company is enjoying, under a grant of exclusive right, what amounts to a monopoly is no reason of itself why it should be deprived of its concession. It is easy to say that monopolies are odious, but there are concessions which amount to monopolies which are lawful, and which can not be disturbed except by violation of public faith.

With the wisdom of such arrangements for exclusive franchises the Executive Departments are not concerned. The grants are made in this country by Congress and in other countries by the constituted sovereign authority. It is the duty of those who administer the government to deal with the conditions as they find them and to see that legal rights of every nature are respected.

Concessions of this kind which carry with them exclusive rights for a period of ten years constitute property of which the concessionary can no more be deprived arbitrarily and without lawful reason than it can be deprived of its personal tangible property.

It, therefore, the Western Union Telegraph Company has an exclusive grant applicable to Cuba for cable rights, which grant has not expired, it would be violative of all principles of justice to destroy its exclusive right by granting competing privileges to another company. * * * It is the function of the Government to prevent as far as possible all infringement of the vested rights of others.

From the foregoing it follows not only that a property right vested and complete in these islands at the time of the ratification of the treaty of Paris, and recognized as such by the law of Spain, is within the protection of such treaty, but that the law that is to be invoked in order to determine the legal force and effect of a claim of property rights under the eighth article of the treaty of Paris in the law of Spain under which such rights sprang into being and to which their existence is primarily due—that is, the exclusive right of issue conferred upon

the bank by the Spanish Government is entitled to recognition to-day by the force of the treaty, even though the laws of the United States did not of themselves at that time provide for the conferring of like concessions.

For that matter privileges granted to one exclusive of all others, and equally with the concession here insisted upon, monopolies, have been granted in and upheld by the courts of the United States. There is nothing in the constitution and laws of that country that would prevent Congress from to-day conferring for the Philippines grants and concessions no less exclusive in their effect upon third persons than is the right now asserted by the bank.

Nor can it be urged with reason that the United States is not bound to recognize this privilege upon the ground that the regulation of the currency is an attribute of sovereignty, and that therefore a right in any way limiting the action of the United States in that regard does not continue after the cession of the Philippines by Spain. For the United States has by solemn pact and treaty given protection to such right and in the eighth article of the treaty of Paris. And it can not be claimed that the regulation of the currency is any more a sovereign power of the United States than it is the latter's right to control the postal system or commerce.

The regulation of the telegraph has been undertaken by the United States under the latter's sovereign power over commerce and the postal system.

It was within the power of Spain to reserve to itself the issue of demand notes in the Philippines, or to confer the exclusive right of doing so upon the Spanish Filipino Bank, more than 95 per cent of the stock of which is to-day held in these islands. And the action of the United States in its early history with regard to the Bank of the United States may be said to be analogous in principle to that of Spain in the case of this bank.

And if, as recognized by the Attorney-General of the United States in his opinion above cited, the exclusive privilege granted the telegraph company in Cuba by the Government of Spain was a right to be protected as property after Spanish sovereignty there ceased, then equally is this privilege of note issue in the Philippines now entitled to recognition and support. The one no more embodies in it the exercise of a sovereign power of government than did the other.

This privilege of the bank is but a slight factor, after all, in the currency equation of the islands. It in no way affects the right of the Government over anything but demand notes, and those not legal tender, of private institutions. It has been recognized to the present day ever since the ratification of the treaty. Far from being an impediment or obstacle to the United States sovereignty in the Philippines, it has proved a valuable adjunct to business and of great assistance in the pacification of the islands. In its further enjoyment there is nothing incompatible with a currency system to be established in every way adequate to the needs of the archipelago.

But if continued efforts should conflict with the plans of the Government, the inconvenience that it may cause to these does not give the Government the right to arbitrarily and summarily deny the bank its further use. It is the property of which the bank can not be deprived without due process of law, and which can not be taken from the bank even for the public good except upon the making of just compensation.

But the bank, while insisting that the integrity of the United States has been solemnly pledged to protect it in its charter rights, recognizes the ample power of that Government to take, by the right of eminent domain, this privilege for the public use if just compensation shall be made therefor, and with the desire to cooperate with the Government in its plans for these islands, and in order to offer no obstacle thereto, the bank does not wish to make necessary the formal exercise by the Government of this right of eminent domain.

It therefore now proposes to surrender to the Government this exclusive right of issue, voluntarily, upon receiving in return its fair and reasonable value.

What is this?

The potential value of the privilege of note issue to the bank under its present charter is a matter of mathematical calculation. With its present capital stock it has the right to issue \$4,500,000 of notes. Five per cent is a very low rate of interest compared with that actually earned upon money in the Philippines, but such rate upon \$4,500,000 could give an annual return of \$225,000. Deduct from this interest upon one-fourth of the cash reserve required under the articles, and there remains \$168,750. Deduct from this the same interest charge upon \$500,000, which, under article 20 of its charter, the Government may exact from the bank to the extent of one-third of its capital as a gratuitous loan for not exceeding six months of the year, or \$12,500, and the net value of the privilege to the bank, with its present capitalization, is \$156,250. This, capitalized at 5 per cent, represents a principal of \$3,125,000.

But the bank has the right to increase its capital stock to \$3,000,000, in which case it could issue notes to the amount of \$9,000,000. Five per cent upon \$9,000,000 is \$450,000. Deduct from this one-fourth, or cash reserve, 5 per cent upon \$1,000,000, the amount which the Government could exact as a loan, and the net annual value of this privilege would amount to \$312,500, which, capitalized at the same rate of interest, represents a value to the bank of \$6,250,000.

These are the potential profits which represent the extreme possible return to the bank upon the basis of 5 per cent interest.

In place of these figures take the actual happenings. Up to the time immediately preceding American occupation, when the turbulent conditions of the country demanded the adoption of every restrictive measure and contraction wherever possible, the average circulation of the notes of the bank was \$3,900,000. Five per cent of this amount, with the same ratio of allowances as above, gave net annual profit to the bank upon the privilege of \$133,750, which, capitalized at 5 per cent, represents a principal of \$2,675,000.

As against this let us now view the situation under the plan proposed. Five per cent upon \$1,500,000, less one fourth of the capital required as a reserve, assuming that which is not expressly stated in the plan proposed, namely, that the Government thereby abandons any right to exact this loan from the bank, and without taking into consideration the further difference as against the bank caused by the low rate of interest it would receive upon the purchase of the \$50,000 bonds required to be deposited, the net annual value to the bank of its note issue will be \$36,250.

Subtract the last-named amount from the value of this privilege to the bank in the last year of normal conditions in the islands, as above

shown, and there results a difference for each year against the bank under the proposed plan of the sum of \$77,500, which, capitalized, represents a principal of \$1,550,000.

To compensate the bank for the loss of this privilege as actually enjoyed by the bank in the past, and irrespective of the greatly increased profits which it would unquestionably yield with an increase of capital justified by reviving business under improved conditions, it should then receive \$1,550,000.

In case the United States, while recognizing the right of the bank, should prefer to make compensation therefor in an indirect manner, rather than by the payment of money damages, the bank now proposes the following:

That Congress in adopting a scheme for note issue of banks in the Philippines which will not require of the banks a greater purchase of United States bonds than \$50,000 gold, nor a greater reserve than outlined in your letter, will be the necessary legislation to exempt the bank until January 1, 1928, from any taxation upon its circulation to the extent of \$1,500,000 Mexican, and from all taxation of any description upon its capital to the same amount (the present capitalization), as well as upon profits and all property, business, and operations pertaining thereto; and provided that such legislation shall enable the bank to increase its capital, and note circulation likewise, to the maximum amount provided by the proposed law in case of banks generally, the exemption proposed not to apply to any increase upon the amounts last above named, such increase to be subject to the same taxation as that imposed by law upon other banks, the bank to enjoy the right to reform and amend its articles as it may see fit when not in conflict with the general banking laws to be enacted, and the government to relinquish its right to the gratuitous loan above referred to, and to generally, except as above specified, place the bank upon the same basis with other banks in the Philippines.

The probable rate of taxation upon banks in the future is impossible to estimate, but the bank assumes that it will not be greater than that at present imposed, and while the exemption thus suggested would, even at the present high rate of taxation, fail to equal the value of this privilege to the bank, upon the basis of the lowest of the estimates above given the bank is willing to surrender its exclusive right of issue therefor.

While the bank does not desire to press its views upon the government in those details which the latter must determine for itself in a matter of such importance, we desire to refer to the following points suggested in your letter, namely, the provision to be made for the outstanding notes issued before the year 1884, the time within which the bank should be required to draw in all of its outstanding notes, and the question of the clearing house.

With regard to the first of these, it would be greatly to the convenience of the bank if the outstanding issue prior to 1884 (which now amounts to \$180,000) should be included within the \$1,500,000 of circulation to be permitted upon the deposit of \$50,000 of bonds. If the government should count these as a part of the authorized circulation at the time the proposed law should become operative as against the bank, the latter would be relieved of the necessity of more than one deposit of bonds. All matters between the government and the bank pertaining to note issue would be reduced to one head and account, the

circulation would not exceed the amount of \$1,500,000, and with the deposit of \$50,000 required for this the desired object of the government would be attained completely. As those notes were presented the bank could arrange for their substitution with the new notes in the same way contemplated for the issue subsequent to the year 1884.

Preparing for just such a condition as now confronts it the bank has felt warranted in retiring from circulation within the past eleven months no more than \$400,000 of its notes. Daily demands for these by the other banks and individuals in amounts of from thirty to fifty thousand are reluctantly refused by the bank on account of the policy it feels compelled to pursue. It is believed that the process of retirement should be a gradual one, and that a longer time than one year, which has been proposed, should be accorded before the provision of the proposed law affecting the outstanding circulation and its retirement should become applicable to the bank.

And upon the question of a clearing house, while the advantages of this both to the public and the banks are fully appreciated, it is our belief that the connection of any bank with such an institution should depend upon the desire of the former to enter into relations therewith, and the willingness of the clearing house to receive and accredit the applying bank as a member thereof.

With the belief that the adoption of the plan herein proposed would be but the recognition of the legal as well as equitable rights of the bank and the doing of simple justice thereto, and with the hope that as such it may be favorably considered by you and recommended to the War Department at Washington,

We are, sir, very respectfully, yours,

JOSÉ DE LA ROSA,
VENANCIO BALBAS,
J. M. OSORIO,
FR. MANUEL ALONZO,
C. H. MARPLE,

*Committee representing the Management and Stockholders
of the Banco Español-Filipino.*

Reply of the honorable the secretary of finance and justice to the letter of the Banco Español-Filipino, dated December 6, in re the exclusive right of the bank to issue circulating notes.]

DEPARTMENT OF FINANCE AND JUSTICE.

Manila, December 10, 1901.

SEÑORS JOSÉ DE LA ROSA, VENANCIO BALBAS, J. M. OSORIO, and FR. MANUEL ALONZO, and C. H. MARPLE, Esq.,

Committee representing Management and Stockholders of the Banco Español-Filipino.

GENTLEMEN: I beg to acknowledge the receipt of your letter of December 5, wherein you state your views in regard to the exclusive privilege claimed by the Banco Español-Filipino to issue a circulating medium up to the amount of three times its paid-up capital.

It would serve no useful purpose at this time to engage in a discussion of the legal proposition presented in your letter, inasmuch as the final decision as to the validity of the concession claimed by your bank does not rest with any authority in these islands. That decision will

be made doubtless by the authorities at Washington, and our action will be governed in accordance with the decision there arrived at. Your letter has been submitted to the United States Philippine Commission, and I am authorized by the Commission to state that it does not feel authorized to recommend to the Secretary of War or to the Congress of the United States the large compensation stated in your letter as a consideration for the surrender of what you claim to be your just property rights secured under the treaty of Paris, whether that compensation is made in money or in the extended period of exemption from taxation which you suggest.

The value of the franchise of your bank, as computed by you and stated in your letter, is very great. It is manifest that a franchise so valuable might justly submit to a much heavier burden of taxation than any now imposed, and there apparently can be no doubt as to the power of the government authorities in these islands to tax that franchise upon any basis that shall be deemed just. In this connection it might be useful to refer to the decision of the Supreme Court of the United States in the case of *Veazie Bank v. Fenno*, United States Supreme Court Reports (8 Wallace, p. 533), wherein it was held that it was entirely competent for Congress to impose any such tax as it saw fit upon the issue of circulating notes by State banks, even though such tax should be prohibitive by reason of its amount.

I will only add that Governor Taft is expected to leave for the United States on or before the 20th of this month, and that the communication between you and myself upon this matter will probably be taken by him to Washington for submission to the Secretary of War, and that if you desire to make any further communication in this behalf it would be highly desirable that such further communication might be in my hands to deliver to Governor Taft before his departure.

Very respectfully,

HENRY C. IDE,
Secretary of Finance and Justice.

[Acknowledgment by the directors of the Banco Español-Filipino of the letter of the secretary of finance and justice, dated December 10.]

MANILA, P. I., *December 16, 1901.*

Hon. HENRY C. IDE,

Secretary of Finance and Justice, Manila, P. I.

SIR: We beg to acknowledge the receipt of your esteemed favor of the 10th instant.

We regret exceedingly that the demonstration of the great value to the bank of that which we believe to be a property right guaranteed to it by the treaty of Paris should have apparently served to suggest the propriety of destroying the exercise of such right by repressive or prohibitory taxation when its final determination is yet in abeyance. In submitting our last letter we felt that we were but meeting the desires of the insular government in fully presenting the position of the bank in order that the government and the Government of the United States might be enabled to give thereto the most thorough and just consideration possible. And when the bank expressed its willingness to surrender its most valuable privilege in return for exemption from taxation that would during the entire period for which such

s asked amount to far less than was the value of such privilege
 en exerted by the bank in the past for less than 40 per cent of its
 ssible exercise under the present articles, we confess that the ulti-
 te power or possible desire of the United States to exercise its right
 taxation so as to penalize or repress the business of the bank, or
 it of any other enterprise or industry in the islands, did not enter
 o the consideration given by us to this subject.

And as valuable as this franchise is to the bank, it is respectfully
 bmitted that it is now paying upon the returns received from this,
 well as from the other departments of its business, the same rate of
 ration which the other banks in the islands pay upon their business, a
 addition which we do not believe to be inequitable when there is con-
 ered the fact that more than 95 per cent of the stock of the bank is
 ld by residents of these islands, when in the case of the two Eng-
 h banks here the amount of stock that is owned by residents of the
 ilippines constitutes but an inappreciable part of their capitaliza-
 n.

Very respectfully,

JOSE DE LA ROSA,
 VENANCIO BALBAS,
 FR. MANUEL ALONZO,
 J. M. OSORIO,
 C. H. MARPLE.

*Committee Representing the Management and Stockholders
 of the Banco Español-Filipino.*

[An act to regulate banking in the Philippine Islands.]

An Act to regulate banking in the Philippine Islands.

SECTION 1. That no person, firm, association, or corporation shall
 permitted to conduct a banking business or to establish or maintain
 branch bank in the Philippine Islands after the 30th day of June,
 1902, without a license in writing granted by the government of the
 Philippine Islands. Such license shall be granted, in the discretion of
 the government of the Philippine Islands, upon application in writing
 setting forth the names and domicile of the applicants proposing to
 do a banking business, the nature of the business, the amount of capi-
 tal proposed to be employed, and such other particulars as may be re-
 quired by said government, and said license may be revoked at any
 time.

SEC. 2. That the provisions of section 5243 of the Revised Statutes
 of the United States, prohibiting the use of the word "national" in
 the title of any bank not incorporated under the national-bank act of
 the United States, are hereby made applicable to the Philippine Islands.

SEC. 3. That all persons, firms, associations, or corporations engaged
 in the business of banking in the Philippine Islands shall comply with
 the regulations which may be prescribed by the government of the
 Philippine Islands, and full power is hereby conferred upon said
 government of the Philippine Islands to frame regulations regarding
 the business of banking, to suspend the business of any bank, and to
 appoint a receiver for winding up its affairs when in the judgment of
 said government such course is justified, and to impose and enforce

proper penalties for failure to comply with such regulations and with the authorized acts of said government.

SEC. 4. That the government of the Philippine Islands may appoint a suitable person or persons, who may be the same as the person designated by the Comptroller of the Currency, for the examination of national banks in the Philippine Islands, which person shall have the power to make thorough examinations from time to time into all the affairs of persons, firms, associations, or corporations engaged in the business of banking in the Philippine Islands, and in so doing to examine any of the officers and agents of such bank under oath, and who shall make a full and detailed report of their condition to the government of the Philippine Islands.

SEC. 5. That all laws relative to national banking associations shall, so far as they are applicable, have the same force and effect in the Philippine Islands as in the United States, subject to the provisions and limitations of this act; and the provisions of section 5146 of the Revised Statutes are hereby amended so that any resident of the Philippine Islands otherwise qualified may lawfully act as director of a national bank established or having branches in said islands, and no other qualifications shall be required as to residence except that a majority of the board of directors of any such national bank shall be a citizen of the United States, or natives of the Philippine Islands, or persons who have, under and by virtue of the treaty of Paris, acquired the political rights of natives of the Philippine Islands, but applications for the incorporation of national banks in the Philippine Islands shall first have the approval of the government of the Philippine Islands before being approved by the Comptroller of the Currency of the United States.

SEC. 6. That banks established in the Philippine Islands under authority of section 5 of this act and national banks of the United States shall have authority, with the approval of the government of the Philippine Islands, to establish branches in any part of said islands, and, with the approval of the Comptroller of the Currency of the United States, to establish branches in the United States; *Provided*, That such branches, when established in the United States, shall not discount commercial bills or make advances upon securities when such transactions are wholly carried on within the United States.

SEC. 7. That circulating notes may be issued in the Philippine Islands by any national bank established under the provisions of this act or having branches in the Philippine Islands, subject to the approval in writing of the government of the Philippine Islands and of the Comptroller of the Currency of the United States, and under the conditions and limitations of the national-bank act as modified by this act: *Provided*, That no bank now existing or hereafter established in the Philippine Islands shall be authorized to issue circulating notes of any class or classes in excess of its paid-up and unimpaired capital.

SEC. 8. That circulating notes may be issued by the Comptroller of the Currency of the United States to any national bank established or having branches in the Philippine Islands to the amount of fifty per centum of the paid-up and unimpaired capital of the issuing bank without any deposit of United States bonds as required by the national-bank act: *Provided*, That nothing in this act shall be construed as repealing the requirements of section 5159 of the Revised Statutes as amended by section 8 of the act of July 12, 1882, entitled, "An act, etc.," that

certain deposits of United States bonds with the Treasurer of the United States shall be required as a preliminary to the commencement of the banking business; but such bonds may, in the discretion of the Treasurer of the United States, be deposited to his order in the treasury of the Philippine Islands, and shall be held as a part of the security for circulating notes in the same manner as provided by the national-bank act: *And, provided further*, That circulating notes issued under this act, and not secured in full by the deposit of United States bonds with the Treasurer of the United States, shall not be paid out or be put in circulation by any bank except in the Philippine Islands, shall bear distinctive language and devices, to be prescribed by the Comptroller of the Currency of the United States, with the approval of the government of the Philippine Islands, and shall have a first lien upon all assets of the issuing bank over all other claims except authorized deposits of officers of the United States and of the government of the Philippine Islands, and except bonds deposited with the Treasurer of the United States as specific security for additional circulating notes.

SEC. 9. (Should provide for a tax at the rate of one-half of one per cent per annum upon all notes of any banks in actual circulation, and no other tax upon circulation shall be levied or collected.)

SEC. 10. (Should provide for constituting a guaranty fund from the proceeds of the tax on circulation and the manner of procedure in case of bank failure.)

SEC. 11. That any bank issuing circulating notes in the Philippine Islands shall at all times keep on hand, at its head office or its branches in the Philippine Islands, a reserve equal in amount to twenty-five per centum of the amount of said notes outstanding, which reserve shall be lawful money of the Philippine Islands or of the United States, or both: *Provided*, That one-half of such reserve may be kept in first-class bills of exchange drawn upon the United States or upon foreign countries, and payable in gold, or on deposit in some other bank or banks approved by the Government of the Philippine Islands: *And provided further*, That no reserve against circulation shall be required to be kept at the branches of national banks having their head offices in the United States when no notes of said banks are paid out by them at said branches.

SEC. 12. That any bank doing business in the Philippine Islands which fails to have on hand at the close of any month the legal reserve against circulation required by section eleven of this act shall pay into the treasury of the Philippine Islands a penalty at the rate of one-quarter of one per cent upon the excess of the amount of outstanding circulating notes above four times such legal reserve, and the proceeds of such payments shall be added to the bank-note guaranty fund hereinbefore provided for.

SEC. 13. That the Treasurer of the United States may keep in the custody of the treasury of the Philippine Islands, or in any banking institution of the Philippine Islands furnishing proper security, such part as he may think proper of the redemption fund of five per centum required against circulation by section 3 of the act of June 20, 1874, entitled "An act, etc.," which may be derived from the deposits of national banks issuing circulation in the Philippine Islands, and may make proper arrangements for carrying on transactions relative to said fund in whole or in part in either the United States or the Philippine Islands.

SEC. 14. That it shall not be lawful for any bank accepting deposits to establish branches, or for any bank to issue circulating notes under authority of this act, unless said bank has a paid-up and unimpaired capital of not less in amount than five hundred thousand dollars.

SEC. 15. That no circulating notes shall be issued by any bank in the Philippine Islands for a less denomination than five pesos or two dollars and a half, and the amount of the notes outstanding below the denominations of twenty pesos or ten dollars shall not exceed fifty per centum of the maximum of its authorized circulation.

SEC. 16. That the Spanish Bank of the Philippines shall be required to comply, on or before December 31, 1902, with all the requirements of this act in regard to the issue of circulating notes, except that the amount of such notes outstanding may be equal to the entire paid-up and unimpaired bonds to secure circulation, as required by the national-bank act; and said bank may exclude from the limit of its authorized circulation all or any part of its notes issued prior to the year 1884 and now outstanding: *Provided*, That such notes, when redeemed, shall be canceled and retired and not reissued, and that said bank shall pay into the treasury of the Philippine Islands fifty per centum of the face value of such notes so excluded, which sum shall constitute an obligation of said treasury to said bank, to be repaid from time to time to the amount of fifty per centum of such notes when redeemed by said bank and presented and surrendered to said treasury of the Philippine Islands: *And provided further*, That in case of the failure of the liquidation of the said Spanish Bank of the Philippines any money thus transferred to the treasury of the Philippine Islands and not previously repaid shall be paid to the receiver or authorized liquidators for the benefit of the creditors of the said bank.

SEC. 17. That the Secretary of the Treasury and the Comptroller of the Currency of the United States are hereby authorized and directed, when requested by the government of the Philippine Islands, to make and prepare any drawings, designs, and plates, and execute any engraving or printing of notes and certificates authorized by this act, and to make a proper charge for the same in accordance with the provisions of the national-bank act or other regulations to be framed by the Secretary of the Treasury.

SEC. 18. That none of the bank notes authorized by this act to be issued in the Philippine Islands or which may be in circulation under existing laws shall be legal tender for debt, unless expressly stipulated in the contract; but such notes may be received for public dues in the discretion of the government of the Philippine Islands only when and so long as they are redeemed on demand at their face value by the issuing bank in the lawful money of the Philippine Islands or of the United States.

SEC. 19. That the Treasury of the United States is hereby authorized to receive deposits in money from the government of the Philippine Islands, and to transfer funds, draw and accept checks, drafts, and transfers, and to perform any other financial operations on behalf of the said government of the Philippine Islands which may be agreed upon between said government and the Secretary of the Treasury; but nothing in this section shall be construed to permit the expenditure of the funds of the United States for meeting the obligations of the government of the Philippine Islands.

SEC. 20. That the government of the Philippine Islands and its branches and such banking associations and their branches in the Philippine Islands as may be designated by the Secretary of War of the United States shall be depositories of public money, subject to the provisions of existing law governing such depositories in the United States: *Provided*, That the treasury of the government of the Philippine Islands shall not be required to deposit bonds in the Treasury of the United States or to give other specific securities for the safekeeping of public money except as prescribed, in his discretion, by the Secretary of War.

SEC. 21. That all acts and parts of acts inconsistent with this act are hereby repealed.

BUREAU OF NON-CHRISTIAN TRIBES
FOR THE PHILIPPINE ISLANDS,
Manila, P. I., December 7, 1901.

MR. BERNARD MOSES,
Secretary of Education.

DEAR SIR: In compliance with your request, I take pleasure in making a brief statement of my impressions of the operation of civil government in the provinces of Tarlac and Pangasinan, where I have recently been.

Tarlac Province has lately been the seat of rumors of new treachery and insurrection. The plot believed to have been discovered at Moncloa to murder the American garrison at that post created a good deal of excitement, but there is no evidence that there is any general dissatisfaction. On the contrary, all that I could discover showed that the municipal governments were running smoothly, and the mass of the people satisfied.

The rumors of danger and of the failure of the people to accept cheerfully the self-government intrusted to them arise, I believe, chiefly from the army posts, but the army in the provinces where civil government exists is no longer in a position to form the most reliable judgments. The soldiers no longer leave the posts; the officers rarely go beyond their quarters. There is no scouting, and frequently the officers now on duty have absolutely no acquaintance with the country. They have no more official relations with the natives, nor do they have in most cases any longer acquaintance with them. Under these circumstances, rumors are magnified and uneasiness is likely to prevail when no real danger exists.

Tarlac is a sparsely populated province, with some vestiges still of the old forests that once covered the central plain of Luzon, and, with its wide swampy stretches covered with canebrakes and cogon grass and its extensive mountainous region on the west, is favorable to the detection of the ladrone. But brigandage and murder have certainly greatly declined since the inauguration of civil government. The tulungan can only be exterminated through the cooperation of the people themselves, by giving the municipalities the responsibility of maintaining local peace and vigorously supporting the municipal police by insular constabulary wherever necessary.

The insular constabulary was recruiting and drilling at Tarlac and I soon be assigned to different posts. A very good type of native is being secured for this service, and I was also very favorably

impressed with the municipal policemen who assisted and accompanied me from time to time. These officers were all neatly uniformed, but imperfectly armed. Some carried revolvers and others had old Remingtons and various guns captured from the insurgents and turned over to the municipalities. A short, reliable shotgun with metallic, waterproof cartridges loaded with buckshot would make a far better weapon than the majority of police now carry. They have not sufficient skill and coolness to make the revolver a suitable or safe weapon.

In Pangasinan I found conditions very interesting and, to my mind, encouraging. In the three towns where I stopped, Bayamban, Urbiztondo, and Mangataren, I was especially interested in the conduct of the municipal governments. Those intrusted with office were not only taking much interest in their work, but were very rapidly becoming familiar with the new code and official duties.

The Filipino appears to me to have much of the mental readiness and acquisitiveness of the Japanese. He understands very quickly, and I do not think that in the legislation that has been enacted his powers of perception have been exceeded. Nor do I think that there is much danger of shooting over his head. The danger is rather in giving him tasks which he has not the moral qualities, the will, energy, and courage to perform. I was much entertained by the subjects of conversation introduced by these municipal officers. They were informed as to the progress of affairs in Manila and throughout the islands, of the recent events in Samar, and the continuation of Malvar's resistance in Batangas. They knew of the last legislation of the Commission and wanted many explanations. Most of them appear to be affiliated with the Federal party, and I am led to suppose that this organization embraces most of the progressive revolutionary, ex-insurgent element throughout these parts of Luzon. This is the class we have had to fight, but it is none the less the class which is now most in sympathy with American measures and through whom all genuine reform and progress in these islands must come.

It appears to me further that the Commission has made no mistake in intrusting these men with office. The better educated, more prosperous class, or the "gente ilustrado," wanted, and very properly, a voice in the affairs of the islands. The great mass of inhabitants, the "gente bajo," follow their lead. If the "gente ilustrado" can be convinced of our fair intentions and if they can as soon as possible realize a fair share of their legitimate ambition, there will be no more danger of general insurrection. Gradually public education, which is already reaching all classes, will enlarge the class of those who are capable of appreciating the efforts of the American people and will make the local government less aristocratic than it is at present.

I had one particularly interesting talk with a councilor of Mangataren who accompanied me into the hills on our quest for the Negritos. We lay awake at night for several hours in a shack in a little hamlet of Ilocanos called "Malabobo" while he plied me with questions and expressed his views. He talked very freely, and as he was a very intelligent man, and had some Spanish education, he was worth listening to. He had the usual hatred of the religious orders and even some leanings toward freethinking—a kind of "Separatism." He was politically a member of the Federal party. The range and accuracy of his information on current Philippine affairs surprised me. There is

a limited class in each town which he represents, who appear to receive regularly one or more Manila papers and who thoroughly digest the news. This man is, at the present moment at least, fully in sympathy with the work of the Commission. I do not mean to say that I believe he would stick to us under all circumstances or under unusual temptation, but for the present he is sincerely and loyally our friend. Among other things, he said: "When we were in the insurrection there was one party of our leaders who were always talking for autonomy, and autonomy became a principle with us. Now the president of the supreme court is a Filipino, three of the commissioners are Filipinos, the chairman of the city government of Manila is a Filipino, and many other Filipinos are in important offices. Now this, it seems to me, is autonomy. We have already autonomy in our municipal governments, and we will soon have equal autonomy in the government of the provinces."

To thus win the confidence and support of such a man is to secure the contentment of a good many hundred Filipinos of the lower class, with whom he has unlimited influence and who will do practically as he says.

Since my return from Japan, last September, I have heard some doubts expressed as to the wisdom of having inaugurated civil government for the provinces at so early a date. Some have professed to believe that it would have been wiser to leave the military power in control for at least a year longer. Such criticisms, however, do not take into consideration the extreme eagerness that the Filipinos feel and have always felt to have realized a liberal form of civil rule in which they themselves can participate. It was only under the expectation of such a consummation that peace was brought about in northern Luzon, and I believe that it is only by a patient and faithful adherence to this end that a condition of greater political stability can be gained.

Very respectfully, yours,

DAVID P. BARROWS,
*Chief of the Bureau of Non-Christian
Tribes for the Philippine Islands.*

ANNUAL REPORT OF THE GOVERNOR OF THE PROVINCE OF CAVITE.

CAVITE, P. I., *January 14, 1902.*

THE CIVIL GOVERNOR OF THE PHILIPPINE ISLANDS.

SIR: Pursuant to the provisions of article 7 of the provincial law, I have the honor to present the following report:

On the 22d of June I took the oath of office, and although civil rule in the province of Cavite dates officially from the 1st of July, it may be said that it was not solemnly inaugurated until the 4th of July, the national commemoration day of the independence of the United States. The honors rendered to the provincial government on that day by the municipalities and principal inhabitants throughout the province, and the manifestations which then took place, are clear proof of the hearty welcome accorded, for the first, to civil rule.

On the 5th of July the first session of the provincial board was held, and it became necessary at once to make arrangements for the tempo-

rary installation of the government offices in a private house rented for that purpose, until claim should be made against the military authorities for the return of the public buildings belonging to the province. Upon the return of two of the buildings (if I remember rightly, on the 4th of August) it became possible to install the offices of the provincial government in a house of its own, and with some degree of comfort. But in vain has claim been made for the old building that in Spanish times always belonged to the central government of the province of Cavite. This building, called the "Palace House," is, by reason of its central location in the town, perhaps the only one suitable for any large number of offices, and as it is at once spacious (having on the ground floor room for any office force, however large) and easily accessible to the public, the chief civil authorities of the province would find there quarters in harmony with the dignity of their office. The building now occupied by the governor, the secretary, and the court of first instance, in the Calle de Farnesio of this capital, was in the time of the Spanish dominion really a military appurtenance, as it was never used for anything but the offices of the military engineers. The palace in question has always belonged to the province, and while it is not well to pay too much attention to material and ephemeral appearances, it is certainly a fact that the prestige of the civil authorities demands its return.

At the third meeting of the provincial board, held on the 11th of July, the members of the personnel were appointed, the force being small as compared with the schedule presented by me for approval in accordance with the law. Believing that, in view of the recency of the laws in force, the opinions or rulings called for would be numerous, and that as a new régime was being inaugurated the work would be of an arduous character, requiring a well-equipped force, I desired the more extensive schedule to be recorded in the minutes. The expense of living in Cavite, which is almost as great as it is in Manila, and the accumulation of work, necessitated almost immediately afterwards important modifications in the schedule of salaries.

By a resolution of the 22d of August it was found necessary to consolidate the two classes of messengers and the two of orderlies into two only of messenger and orderly combined—paying a somewhat higher compensation than before, but effecting by the change an economy in the total estimate of expenses for office force. At the same meeting the salary of the first deputy of the treasurer was increased from \$1,000 to \$1,200 a year. At a session held on the 12th of September, at the instance of the members of the office force, who claimed that their salaries were insufficient to support them properly in Cavite, where, as stated above, living is nearly as high as in Manila, and in view of the accumulation of work, the provincial board resolved to raise the salaries generally and increase the force in the offices of the governor and the secretary, a proposed change that was not approved by the insular treasurer.

By a resolution passed on the 17th of October, the salary of the interpreter was raised from \$600 to \$720 a year, and an office of extra deputy, with a compensation of \$360 a year, was created to assist the provincial treasurer in the assessment of taxes. Seeing that without the presence of the extra deputy in the municipalities the work of assessment did not advance, and that it was impossible for one person to attend to so many pueblos within a space of time relatively so short,

the provincial treasurer finally recommended the assignment of four assistants to the said extra deputy.

To my recommendations for a modification of the existing schedule of salaries and an increase of personnel, the insular treasurer answered definitely that the salaries and the number of employees were the same as those ruling in the provincial governments elsewhere, and that before my recommendations could be adopted in any form the laws now in force would have to be amended.

I did not care at that time to make any objection to this decision, as the insular treasurer incidentally informed me in his communication that the matter had been referred to the United States Philippine Commission. In other provinces such salaries and office force may perhaps be sufficient; but here in Cavite, where living is high and the presence of the arsenal exercises an important influence in the matter of labor (as in that establishment the employees do not run the risk of losing their positions by reason of the nonreelection of their chiefs, as is the case with those working under the officials of the provincial board), one of two things must be done in order to secure an efficient and trustworthy force—either the salaries must be good and the force small, or the salaries poor and the force large.

In the assembly of municipal presidents, held on the 21st of October, it was suggested to request from the United States Philippine Commission a ruling in regard to the kind of money in which the salaries mentioned in article 22 of the municipal code were to be paid, urging that if possible they should be paid in current American coin. The provincial board resolved that the salaries were to be understood as in Mexican money, and although the assembly did not give any reasons in support of its suggestion, it is, nevertheless, a good proof of the statements made above in regard to salaries.

The provincial board in its fourth session, held on the 18th of July, in compliance with articles 67 and 76 of law No. 136, filled the offices of justice of the peace and his auxiliary in the capital of Cavite, which were still vacant, and in subsequent sessions justices were appointed in the following pueblos to fill vacancies caused by dismissal or otherwise: Lubang, Loece, Amadeo, Maragondon, Magallanes, Alfonso, Bailen, Mendez-Núñez, Indan, Carmona, Santa Cruz de Malabon, Cavite-Viejo (auxiliary), San Roque (justice of the peace, vacancy caused by dismissal), Ternate, Imus (justice of the peace), Bacoor (auxiliary), and Rosario (auxiliary). Attached hereto will be found a table of the officers appointed to this division of the provincial department of justice.

The provincial board had also to determine various local matters. At the instance of Mr. Damian Ermitaño, a statement of account was demanded from the municipal president of Carmona, Don Marcelino Clarito, the board deciding at the same time in regard to remonstrances filed by the "polistas" of the said pueblo of Carmona against the extended assignment (eleven years) of certain communal lands, which should have been newly awarded at least every five years, in accordance with a custom sanctioned by ancient Spanish decrees, that, in so far as these claims referred to the past, they should be ventilated in the courts of justice; and that in regard to the future it should be the duty of the municipal council, immediately upon its reorganization, to issue an ordinance prohibiting that, either directly or indirectly, more than one parcel of said lands should be awarded to any one bidder. As there

are 150 parcels of said lands, and it had been the custom to distribute them in an arbitrary and caciquistic manner among the members of the council, its employees, and the police, the parochial priest, the church, its sextons, choir, and bell ringers, the neighbors in charge of the various feasts of the pueblo or of the images of the saints carried in the possessions of the Catholic faith, and even reaching down to the ex-officials of the municipality, this decision could not but be favorably received by the "polistas," and the reorganization of the municipal personnel was granted, as being the best way to abolish altogether the existing caciquism. But in spite of the recent reorganization of the said municipality of Carmona, the local troubles have not yet disappeared. Therefore, a short time ago, the provincial treasurer was compelled to send his extra delegate to the place, under the pretense of making assessments, but really to make an investigation. When he returned he brought with him a remonstrance from the existing lessees of the communal lands of Carmona against the action of the new municipal council, alleging that it wanted to rob them of the year's crop, which lawfully belonged to them; that up to date the municipal ordinance ordered by the provincial board had not been issued; and that the council intended to make the distribution of the lands in question in the old way, thus disregarding the provisions of article 28 of the municipal code.

The provincial board telegraphed to Carmona, declaring, as was right, in favor of the petitioners; but in Carmona the telegraphic order of the provincial authorities was hidden, and then when by bringing pressure to bear the council had succeeded in getting the "polistas" to sign a contract ceding a third part of the crop to the municipality the said telegraphic order was shown to them; and as a result fresh remonstrances were filed, until the provincial board was compelled to telegraph again to Carmona making the municipal president, Señor Juan Papa, personally and criminally responsible for having disobeyed an express mandate of the provincial board. Even then it became necessary in order to set at rest this matter, which was a cause of frequent quarrels, personal feuds, and local disturbances, for the provincial board to have one or more of its members visit Carmona.

Another difficult matter in which the provincial board intervened was that of Santa Cruz de Malabon, arising out of a ruling of the former judge of first instance, Señor Santiago Molina, ordering the justice of the peace to give legal possession of the lands of said pueblo to a commercial company who claimed them in the courts. The people of the place protested, and the council found it necessary to lay the matter before the provincial board. As the question had already been determined by the courts, the board limited itself to recommending compliance with the judgment rendered. The representatives of the said company also filed a protest, complaining of the behavior of the municipal president, and here, again, the board recommended recourse to the courts. Later, a similar manifestation took place in Nat. directed against the presence there of the same representatives of the said commercial company, but these complaints were treated in the same way as those made by the other petitioners.

In the meanwhile a petition from the council of Santa Cruz de Malabon was filed with the provincial board calling for the removal of the

— A "polista" is a person who, being too poor to pay certain municipal taxes, is compelled to render in their lieu personal services.

justice of the peace of the pueblo, the grounds advanced being old age and incapacity for the discharge of his official duties. After hearing the testimony of both sides, the provincial board referred the matter to the provincial fiscal (attorney). The final upshot of the manifestations and petition was the resignation of the justice of the peace, tendered to avoid the probable dismissal which the circumstances of the case rendered unavoidable. For without it the maintenance of order was endangered, in view of the persistence of the said justice of the peace in admitting the claims of the representatives of the company for the collection of debts from the holders of the lands to which they allege ownership, while the said holders persisted in not recognizing this right and in refusing to pay any sum of money whatever. The persons in possession claim that the lands in question never were the property of the friars (for whom the said company is acting as the irresponsible tool—“man of straw”); that the lands were in the main usurped from the legal owners by religious deceit, usury, fanaticism, craft, and other illegitimate or violent methods, and that if a proper investigation were made the friars would undoubtedly be dispossessed.

Many and extensive are the lands said to belong to the friars within the province of Cavite: In Naic and Santa Cruz de Malabon, to the Dominicans; in San Francisco de Malabon, Rosario, and Noveleta, to the Shod Augustins; in Imus and part of Bacoor, to the Recoletos or Unshod Augustins, and in the town of Cavite, ground plots and houses to the Dominicans and Recoletos. There are also large properties and farms belonging to private individuals and to the hospital called San José de Cavite. On this account, when manifestations took place in Santa Cruz and Naic, several municipal councils in other places, and in particular that of San Francisco de Malabon, hastened to consult the provincial government as to what course they should pursue. The four first-named properties or estates comprised nearly all the productive lands under cultivation in the province; and by reason of the agricultural slavery which they envelop, it is urgent in the interest of the peace, welfare, and progress of Cavite that, whatever may be the alleged titles to the property, a special court be appointed where all discussion of this nature can be heard, and after a minute investigation has been made, an early and efficacious remedy and one in conformity with the strictest principles of justice should be applied.

The estates and farms of the hospital called “San José” are now the object of an investigation by the provincial fiscal (attorney). On the ground of the philanthropic character of the institution and because in the time of the Spaniards it had a board of administration which was under the patronage of the general Spanish government of the islands, it seems that it will be possible to set aside the alleged title of the archbishop of Manila to the said properties.

When the provincial government was organized, the old pueblo of Ternate was, by virtue of a military ruling, constituted a ward (barrio) of the pueblo of Maragondon; and the pueblos organized under General Orders, No. 43, or who lacked any distinct form of organization, were Cavite, San Roque, Rosario, Santa Cruz and San Francisco de Malabon, Naic, Maragondon, Indan, Silan, Carmona, Perez Dasmariñas, Magallanes, Bailen, Alfonso, Mendez, Nuñez, and Amadeo; the others were organized under General Orders, No. 40.

Some pueblos managed, at the time the provincial board made its investigations, to conceal their true constitution, while others hastened

to petition for their proper reorganization; but the municipal body which distinguished itself above all others by the stubbornness with which it persisted in claiming to be organized under General Order No. 40, was the outgoing council of Cavite; so much so that after the special election of the 24th of November had been held, and at a time when the council-elect was in the full discharge of its duties, the ex-president, Señor Zacarias Fortick, and the ex-councilors protested against the legality of the election, again urging in favor of their opinion the much-handled General Order No. 40. In the case of some of these municipal councils the provincial board was able to show that they were organized under General Order No. 43, and in the case of others their petitions were granted wherever they could show that their respective pueblos had sufficient funds to support a corps of municipal officers. In regard to the protest of the ex-municipal council of Cavite, although the matter has been referred for final settlement to the Attorney-General of the supreme court of justice, the provincial board feels confident that its decision will be upheld, as the papers filed do not show that the said municipality was organized at the time the General Order No. 40 was in force, nor that it had the personnel required by the law, but rather, that in order to avoid a fresh election the members of the council adapted themselves to the provisions of the municipal code.*

It is necessary for many reasons to carry into effect the wholesale reorganization of the wrongly called Philippine pueblos; for, in the strict sense of the word, and comparing the analogous institutions of countries more highly organized, more enterprising, and of sounder judgment and greater local union, our present Philippine pueblos are nothing more than mere hamlets. In the humble opinion of the writer, under a proper system there would not be so many little pueblos and small provinces, the expenses would be reduced, the compensation attached to government positions would be higher, there would be less room for complication in questions of governmental organization, and there would be rooted up for all time that pernicious rivalry between the petty local caciques, whose influence, such as it is, is employed at best in oppressing the people for their own private gain.

The matter of the fusion or annexation of pueblos unable to afford the expense of supporting a corps of municipal officers brings us back again to the question of the schedule of salaries as laid down in article 22 of the municipal code. There exist municipalities in which the salary of the secretary does not exceed \$8 Mexican a month, and where the police privates receive only \$2.50 Mexican a month. It is very natural that in such places the municipal duties are left undone. But in other municipalities with sufficient resources the contrary happens. The secretary, in a municipality of the fourth class, enjoys a compensation of \$25 Mexican a month, while a clerk gets \$30 Mexican. The fusion of many small and poor pueblos into a few large and rich ones would be hastened by the amendment of some of the articles of the municipal code making compulsory the payment of good salaries and restricting within certain limits the compensation to be paid to nonelective and subordinate members of the corps and to the

*After a barren and confused dissertation, in part unintelligible, on the advantages and disadvantages of fusing the former pueblos of Cavite, San Roque, and La Carlota, a matter which has been definitively settled by the action of the Commission, the writer concludes as given in the translation. TRANSLATOR.

police, to the end that representative and responsible officers should not receive a ridiculously small compensation, and finally denying villages with less than 4,000 inhabitants the right to organize as separate and independent municipalities unless they can show that, without having recourse to more than a part of the taxes specified in the municipal code, they would have sufficient funds to enable them at the end of a year to supply the pueblo with the necessary buildings for a townhall, schools, a market place, and even a public jail.

While it is true that laws to be liberal should respect initiative and enterprise, still, without restrictive measures of some kind, I repeat, that, since we still preserve the substrata of paternalism now four centuries old, it is possible that the people may allow themselves to be swept away by the overwhelming wave of the caciquism of learning, intelligence, intrigue, money, or power; and though this may relieve the masses of any responsibility, yet occasions have not been wanting when the thread has snapped at the weakest point.

From the municipalities, as from private individuals, the provincial board has had many questions and complaints to attend to. For the most part they have been without especial significance, and in passing we will confine ourselves to the simple statement that four of these have referred to municipal elections, of which only two were decided favorably to the petitioners. Of the complaints the most important was that filed against the municipal ex-president of Cavite, on the ground of the systematic pains he took to carry into effect military orders and proclamations completely hostile to the interests of commerce and the civilian population.

Among the exhibits attached hereto will be found a statement of the various moneys paid out by order of the provincial board.

The rumors and reports of alleged outbreaks and breaches of the general public peace in this province have been and always will be false. The assaults, batteries, robberies, sacks, and kidnappings which have occurred are but the natural sequel to a long period of disturbance, covering nearly six years. They are gradually decreasing in number and importance and before the lapse of a space of time relatively short they will undoubtedly die out altogether. From the twenty-five pueblos of the province and within the period covered by this report, only about fourteen cases of these crimes have occurred, and these were in outlying districts. From the reports received by the provincial government it appears that the pueblos that have suffered most are Magallanes, Alfonso, Maragondon, San Francisco de Malabon, Amadeo, Bailen, Indan, Carmona, Bacoar, Santa Cruz de Malabon, and Rosario. Before the establishment of the Philippine constabulary we referred reports of this nature to the proper military authorities, and especially to the lieutenant-colonel of San Francisco de Malabon. Such malefactors are for the most part provided with firearms; and wherever there are remnants of the insurrection who, for lack of discipline and purpose, to-day lead nomadic lives, or who, being guilty of some crime that renders them liable to the severest penalty of the law, become bandits in order to elude capture, it is better, in the opinion of the writer, not to exterminate them by an active persecution, but to employ methods of attraction, according them an ample amnesty and pardon for everything except in cases where claims are made or charges brought by aggrieved parties.

In the latter event, since there are in the archipelago numerous

uninhabited islands, they might be deported to one of them instead of being hanged or sentenced to imprisonment, hard labor, or some other infamous penalty, thus being prevented from recovering their former dignity of station. To this end a penitentiary island should be fitted up where such persons, with their families, should be forced to go, allowing them to take with them enough funds to cover their initial expenses, thus making compulsory colonists of them. Agricultural help is greatly needed at present throughout the archipelago to bring the virgin soil under cultivation. Further, it is reported that the establishment in Cavite or San Roque of a technical school has been favorably reported to the general superintendent of instruction, as well as the establishment of an agricultural school in the pueblo of San Francisco or Santa Cruz de Malabon. If the above conditions were added the employment in the arsenal and in public offices of all those surrendering themselves and becoming law-abiding citizens, and the simultaneous establishment of night schools of primary instruction for such individuals, and for any other illiterate adults anxious to receive instruction, the social regeneration of the province would not be long in coming, and such steps would contribute perhaps toward causing the advent of the United States to the country to be regarded as a blessing.

When the provincial board has sufficient funds to permit of the building and repair of the wagon and other roads in the province, an amnesty under the conditions proposed above would furnish the necessary laborers and clerks for the work; for I consider facility of communication and a free circulation as important elements in favor of good order and progress. In the assembly of municipal presidents this question of the wagon and other roads was brought up. Furthermore, many municipalities are in need of public buildings, and in the construction of these recalcitrants who take advantage of the proposed amnesty could also find employment.

Upon the organization of the Philippine constabulary we gave instructions to the municipal presidents of the province to the effect that in cases of robberies, sacks, assaults, batteries, and kidnappings they should call in the assistance of the said force, at the same time reporting the matter to the provincial government. These instructions have been followed out from that time up to the present, but, in the interest of truth, I must say that, for some reason that I do not understand, the Philippine constabulary, like the old civil guard of Spanish times, is the fear and dread of the peaceable citizens. Many have been the secret complaints made in this regard, all of which have been a source of great regret to us, because we feel sure that it is not the institution that is at fault, but its interpretation. When the provincial government was inaugurated the municipalities began to send in requisitions for arms for their respective police. Some were already provided with arms, and the government, in order to move with method, determined, before acting upon these requisitions, to make a careful investigation, both in regard to the number of arms existing in the pueblos and in regard to the arms needed by those without them, at the same time making inquiries in regard to the personnel and organization of the municipal police. We have sent a statement of the results obtained to Chief Major Allen. It appears that to-day all the municipal police are provided with arms and are organized and

rendering assistance to the constabulary. But to make them a really well-organized institution and as efficient as the constabulary they need uniformity of dress, of compensation, and of organization, and, in the opinion of the writer, the municipal code should contain provisions in regard to these points.

The province of Cavite, by reason of the industriousness of its inhabitants, supplies the arsenal and shipyards of Cañacao with a good contingent of hard-working and intelligent workmen, and would furnish more if these establishments would throw out altogether the Chinese workmen, who in everything and everywhere make ruinous competition in the country. They are mere parasites in the country which nurtures them; they spend very little, and consume only the products of their mother country. While it is true that as storekeepers and merchants the Chinese sell and manufacture cheaper than the natives, they do not trade with good faith—they manufacture in a slipshod way, badly, and unsubstantially, and they doctor and adulterate everything. This is why they prefer a retail business to any other industry; the simple transactions of buying and selling give them better opportunities for the exercise of fraud and their inveterate tendencies toward adulteration. They live huddled up in little pigsties; they are not remarkable for cleanliness, culture, or morality, and under the Spanish rule frequent attempts were made to prevent their immigration by the imposition of heavy taxes, contributions, and burdens in favor of the State, but these were borne without complaint. Past history shows that the Chinese, who were well received on account of their reputation for industriousness and submissiveness, have risen up against the government. In the revolution of 1896 they played a double game, and in the recent insurrection their behavior was no better. For them these islands are but a mine whence they extract money with which to enrich their own country, and if they wished to possess themselves of the archipelago all they would have to do would be to stretch forth their hands and take it.

By reason of the vicissitudes which the province has suffered, of the scarcity, location, and inadequacy of the means of communication, and of the lack of draft and work animals, our agriculture is in a very depressed condition, and it would not be a matter of surprise if some time should elapse before it recovered from its present prostration, so long as there continues to exist the present personal insecurity in the outlying country districts. It is urgent that means of communication be opened and organized, that facilities be afforded for the acquisition of work and draft animals, or that proper machinery be imported to take their place. The Philippine constabulary must cease to be an institution promotive of intrigues and local feuds, and in populated districts, where the authorities and municipal police are equal to the maintenance of order, the constabulary should carry on its work under special supervision in the outlying districts; or if this is not feasible, then farmers so requesting and offering proper guarantees, either personal or pecuniary, should be authorized to obtain and carry arms. But just as in the case of commerce (or even worse), agriculture is crushed under the weight of an insatiable and inhuman usury, which, with gambling, forms a veritable social cancer, eating into the entrails not only of this province, but also of all the archipelago.

It would not be rash to assert that during the Spanish rule the

administration of the archipelago in all its departments was never carried on legally; for before the introduction of the criminal and civil codes, the code of civil procedure, and the law of mortgage the laws of the peninsula were applied arbitrarily in all matters ventilated in the courts, and so arbitrarily that many judgments were based on nothing more than some legal doctrines culled from the laws of the peninsula. The Machiavellism of the monarchical rule and its bastard ambitions, which have steadily increased the estates of the friars by criminal usurpations, whose possession they try to legalize by means of that empty title of prescription, which they always invoke, have been the cause not only of the delay in introducing the above-mentioned laws into the archipelago, but also of the existence here of usury in all its forms, the cause of its taking root here and of its growth. One form of usury is that burdening the menial servants. These are sometimes the unfortunate children or minors of ruined families, or poor orphans who, without protection of any kind or after receiving some education, seek shelter under the wing of some wealthy family, while others have chosen the service as a means of earning a living. As a result of some loan of money or leonine contract, they find themselves in dire want, and their situation is taken advantage of to impose an onerous slavery. In exchange for their services they are promised an annual salary which in many cases does not exceed \$12 Mexican (12 pesos), food, lodging, and clothes being given free.

In such cases they are often crushed by excessive labor and bad treatment, and as a result of their ill-advised agreement the poor servant eats of the scraps from his master's table, is dressed in his ragged cast-off clothing, and (as in the course of the twelve months he probably breaks or loses some trinkets, utensils, or small pieces of furniture) at the end of the year, in spite of his salary, he is still in debt to his master. As usury, without any noise, effort, or danger, brings in good returns, it becomes necessary, in order to induce capital to give up this source of revenue in favor of associations or enterprises on a large scale, that steps should be taken to prevent the agreement of contingent sale (sale on reversion) from being a cloak to elude the payment to the treasury of any taxes on the capital and loan. Furthermore, no claim for money on a mortgage should be valid if the property is mortgaged for but a third part of its value, or if the mortgagor has been receiving the rents or the products from the property, or where the interest paid exceeds the capital sum due.

A short time after the inauguration of the provincial government I issued a circular addressed to the municipal councils, in which I enjoined obedience to the provisions of the municipal code in regard to gaming, recommending also that the days on which the cockpits were opened should be restricted. Though these instructions have been followed in part, it is not impossible that before long the feast days will be multiplied, because it is on feast days that gaming and other forms of amusement take place. The truth is that repression in this case might be regarded as an encroachment on the rights of the pueblo, which is primarily responsible for its own welfare; on the other hand, a repression along the lines indicated might also properly be considered as a means of education if official feast days were established, the municipalities being compelled to pay the expenses of their celebration out of their own funds. All other kinds of holidays would be absolutely

bited, as also subscription lists or collections for the same not properly authorized or supervised. To this end there should exist principal taxes especially destined to cover the expenses of extraordinary official holidays. The public festivals in the majority of the pueblos in the country are due as much to motives of recreation, religion and tradition as of profit or commercial enterprise.

The present relation between Mexican currency and that of the United States is also a crisis from which the province is suffering. It is due itself to speculations in money, thereby raising the price of gold, and as the Mexican currency has never been a legal tender, although the circulating medium in the country, it becomes imperative in order to abolish this disturbing anomaly, either that a special currency be adopted or that United States money be used exclusively. At the beginning of November the tax assessment of the province has been going on, and although the work is a long way from complete, already serious problems are arising, calling for the early establishment of an easy and effective means of registering property, as well as of a special tribunal to conduct investigations, and for the enactment of laws designed to prevent usurpation of property and to protect rights of indemnification and peaceable possession, annulling all usurpations of estates belonging to orphans under age.

I take this opportunity of tendering my thanks to the army telegraphic and mail service; for, without exaggeration, I can say that they have been of great assistance to me in the performance of my official duties. But in the interests of truth, and without reference to any special person or persons, I am constrained to add that the telegraphic service is much in need of employees or agents possessing a knowledge of Spanish; for it has often happened that messages sent and transmitted in this language have reached their destination mutilated or incomprehensible; and when this happened it became necessary to ask for explanations, which naturally caused delays.

In this province there exist some pueblos where it is materially impossible to impose any or all of the municipal taxes provided in the municipal code, while other equivalent taxes might be established. In order that the municipalities shall always be provided with adequate resources, it might be well to permit them to propose to the provincial authorities the creation of other imposts in lieu of the impossible taxes provided in the municipal code, and upon approval, these would be legal means for the support of such pueblos.

In some pueblos there are Filipino teachers engaged in primary education who are paid such poor salaries that a suspicion naturally arises as to whether they are equipped for their work. In other pueblos the contrary happens, and instead of one teacher there are several; but it happens, also, that by reason of their anxiety to secure an increase in salary the Filipino teachers are, or were, a frequent cause of disputes between the division superintendent of education and the municipal councils, and in some cases the provincial board has to intervene. If I am not mistaken, we have here a complete overlap of authorities, and in my humble judgment it should be abolished.

Since the matter is one for expert determination, the superintendent should have the power to appoint and test the competency of the teachers; or else this should be done by competitive examinations suggested by the municipal councils, and the power of appointment

should lie with the superintendent. The salaries should be fixed and determined by law, since the matter is one upon which the progress and happiness of the country in a measure depend.

The number of schools for both sexes should depend upon the area of the pueblo and the remoteness of its wards; and as the one-fourth per cent of the assessment tax would provide the municipalities with ample funds for this most important branch of the service work, the pueblos would not be able to have their own way, and the mission of the superintendents and their delegates would be carried out harmoniously.

Under the provisions of the provincial law I am required, between the 1st and the 15th of January, to write and file my annual report, and yet up to date I am altogether without records from the municipal presidents to guide me. Either the provisions of letter (n) of article 18 of the municipal code are deficient in this regard, or else the provincial governors should be allowed up to the 31st of March of each year before which to file their reports. In consequence this account is semidiffuse, incongruous, and unmethodical in character, very general in treatment, and without exact data; and as I was intrusted with the pacification both of this province and of the neighboring provinces, it is but natural that this should be the case.

Many municipal councils, public officers, and justices of the peace are unprovided with copies of the military general orders and circulars that have been issued, or of the laws and public resolutions of the United States Philippine Commission, and the provincial government is constantly besieged for literature of this class. It is a mistake that these documents should be procurable only in Manila, as a large number of private persons desire to have them for study or for the resolution of some question. It would be well for the offices of the Commission and military government in charge of the collection, distribution, and sale of these laws and orders to have a branch in every provincial government, placed in charge of some intelligent employee, who upon being asked any simple question could answer by presenting a copy of the law and its amendments. It would be interesting, too, if this employee could also devote himself to the drawing up of a statistical report of the purchasers or applicants, with details of their nature, age, and profession or business.

I have reached the conclusion of my task. From the above it will be seen that civil rule has been accepted and is accepted in all sincerity by the province of Cavite, and in regard to the empty machinations and accusations directed against both the province and my humble person, I do not deem it necessary to refute or crush them, since the facts alone clearly set forth the truth. Without any exaggeration, I can say that the government to whom this communication is addressed may feel confident that in the report of my successor there will be nothing but anthems of praise in favor of civil rule.

I present the homage of my most profound respect.

MARIANO TRIAS.
Governor Province of Cavite.

Personnel and subordinates of the provincial government of Cavite, P. I.

Name.		Salary per annum (gold).
government:		
Mariano Trias	Governor	\$1,800
Daniel Tirona	Secretary	1,200
L. M. Shearer	Treasurer	2,200
Frederic M. Austin	Supervisor	1,800
Francisco Santa Maria	Attorney	1,500
in the office of the governor:		
.....	Clerk	300
.....	do	120
in the secretary's office:		
Andres Trias Tirona	do	240
in the treasurer's office:		
M. Shaw	Chief clerk	1,200
Jose Salamanca	First deputy	300
Jose Malliquil	Second deputy	240
Maximino Mendoza	do	240
Valentin Banares	Deputy	300
Antonio Javier Ceteno	do	300
Florencio Minas	do	300
Maximino de la Cruz	do	300
Antonio Garduno	Clerk	240
Atanasio Paig	do	240
in the offices:		
Adriano Arcenera y Cruz	Interpreter	600
.....	Porter	150
José Arriola	Messenger	120
Jose Narvaez	do	120

Some of the positions are left blank, without name, by reason of recent resignations. [The low salaries paid by the provincial government, the former incumbents having been in other posts in other departments or with private firms where, perhaps, there is less work and less responsibility and better pay.]

Judices of the peace.

Justices.	Auxiliaries.
Señor Anastasio Pinzon	Señor Mariano de Vega.
Señor Nicolas Nava	Señor Gregorio Medina.
Señor Angel de Leon	Señor Macario Olas.
Señor Andres Dias	Señor Pedro Raigo.
Señor Julio Bajada	Señor Segundo Francisco.
Señor Limon Cuena	Señor Inocencio E. Santos.
Señor Cayetano Topacio	Señor Francisco Catimbujan.
Señor Fausto Bautista	Señor Miguel Garcia.
Señor Doroteo Tolentino	Señor Jacinto Genuino.
Señor Benigno Sarayba	Señor Felipe Abueg.
Señor Albino Santos	Señor Epifanio Monteys.
Señor Gregorio Ermitaño	
Señor Luzaro Arcega	Señor Celestino Malabanan.
Señor Trinidad Masangay	Señor Eusebio Alfaro.
Señor Regina Abeleda	Señor Manuel Angeles Riel.
Señor Primitivo Cuaajuno	Señor Jose Pio de Roda.
Señor Agustin de las Alas	Señor Juan Papa.
Señor Damian Ermitano	Señor Anastasio Ramos.
Señor Victoriano Ibañez	Señor Marcelo Villafranca.
Señor Agapito Espinoli	Señor Aquilino Gloriani.
Señor Bartolome Angat	Señor Severino Romanes.
Señor Lorenzo Angeles	Señor Belisario Aure.
Señor Francisco Ruiz	Señor Primo Villanueva.
Señor Santiago Bayot	

* An auxiliary at Cavite and Corregidor.

Number of inhabitants and qualified voters.

Pueblos.	Inhabitants.	Voters.	Pueblos.	Inhabitants.	Voters.
Alfonso.....	7,000	69	Maragondon.....	5,498	15
Amadeo.....	3,198	55	Mendez-Nunez.....	3,679	11
Bacoor.....	12,988	568	Nale.....	8,462	19
Baylen.....	2,534	38	Noveleta.....	2,077	8
Carmona.....	3,001	58	Perez Dasmaringas.....	2,649	14
Cavite (port).....	4,500	700	Rosario.....	6,682	19
Cavite Viejo.....	7,050	99	San Francisco de Malabon...	10,000	8
Corregidor (island).....	700	43	San Roque.....	5,053	15
Imus.....	11,432	2,000	Santa Cruz de Malabon.....	9,476	20
Indan.....	12,815	184	Silang.....	4,476	11
La Caridad.....	4,146	253	Ternate.....	2,970	6
Looc.....	1,194	30			
Lubang.....	4,400	50	Total.....	140,250	5,488
Magallanes.....	2,826	48			

NOTE.—The only pueblos still to be organized under the municipal code are Looc and Lubang.

BARRIOS.

Amadeo has 8 barrios: Central, Salaban, Talon, Maitim, Maymanga, Minantec, Rocal, and Jalang.

Bacoor, 13: Maliesi, Panapaan, Niog, Talaba, Aniban, Ligas, San Nicolas, Manibog, Salinas, Mabolo, Alima, Central, and Javay.

Bailen, 4: Central, Narvaez, Tabora, and Castanos.

Carmon, 6: Central, Nadjuya, Lantic, Cabilangbaybay, Hangcal, and Embarcadero.

Cavite Viejo, 8: Central, Marulas, Binacayan, Lauen, Tinabunan, Tabon, Potol, and Santa Isabel.

Imus, 15: Central, Calle Nueva, Medicion, 1st Medicion, Alapan 1st, Alapan 2d, Bayanluma, Bucandala, Malagasan 1st, Malagasan 2d, Toclong, Palico, Tansaluma, Anabao 1st, Anabao 2d.

Indan, 13: Central, Bancod, Allod, Bona, Majabancahoy, Cayquit, Caytambor, Guyam, Lomanpong, Dayne, Banaba, and Calumpang.

Looc, 5: Central, Agcanayan, Tautan, and Isla de Ambil.

Lubang, 5: Central, Malug, Vigo, Tilio, Tagbag a isla de Cabros.

Magallanes, 6: Central, Ramirez, Urdaneta, Dalic, Medina, and Pacheco.

Mendez-nunez, 6: Central, Galina, Asis, Panungyan, Anuling, and Palocpoc.

Maragondon, 7: Central, Bugcal, Pinassanhan, Caputatan, Lulay, Capantayan, and Pantijan.

Niac, 9: Central, Labag, Bacaan, Timalan, Palangui, San Roque, Malainim, and Muson.

Noveleta, 5: Central, San Juan, San Jose, San Antonio, and San Rafael.

Perez Dasmaringas, 8: Central, San Jose, Sabang, Burol, Salitran, Paliparan, Sempaloc, and San Agustin.

Rosario, 7: Central, Bagbag, Liglong, Muson, Calunuran, Valia, and Tejero.

San Francisco de Malabon, 7: San Isidro, San Gabriel, Santiago, Pasongawayan, Alianya, Buenavista, and San Juan.

San Roque, 6: Central, San Rafael, Rosario, San Jose, Soledad, and San Antonio.

Santa Cruz de Malabon, 9: Central, Biude, Julian, Amonja, Calibuyo, Quintana, Molino, Zanjamaydy, and Santol.

Silang, 21: Central, Labutan, Biluso, Lungon, Lucuhin, Calubcob, Litlit, Mabatang, Balulad, Lalaan, Malabag, Balite, Pulongbunga, Ulap, Pooc, Lumil, Carmen, Muntingilog, Iba, Caong, and Maguyam.

Ternate, 3: Central, San Juan, and Sapang.

Cavite (Puerto) y la Isla del Corregidor is not divided into barrios.

Alfonso: No information relative to this town in the provincial government.

Public municipal buildings.

Pueblos.	Description.	Net value
Bacoor.....	House of masonry.....	2.00
Cavite Viejo.....	Market of "cana-nipa," on private ground.....	10
Corregidor.....	Townhall, two story, good condition, 84 square meters, occupied by the military; two schoolhouses, bad condition, together 196 meters, with a capacity of 300 children (convent and church now used as townhall and schoolhouse).	50.00
Indan.....	"Cana-teja," deteriorated, 1,581 square yards.....	0

• Without value

Public municipal buildings—Continued.

blon.	Description.	Mexican value.
nes	Townhall, of good material with galvanized-iron roof, 63 square yards; schoolhouse, with galvanized-iron roof, 48 yards; market "cana-cogon," 48 square yards.	\$1,200
.....	Schoolhouse of masonry, 128 square meters, in very bad condition.	800
.....	Schoolhouse, light material, 164 square meters.	450
.....	Townhall, deteriorated.	300
.....	Market place, in its present condition.	150
.....	Schoolhouse, for both sexes.	1,500
.....	Schoolhouse, for both sexes.	500
ico	Schoolhouse, old, occupied by the military, masonry.	10,000
.....	Schoolhouse, in use, light material.	400
.....	House of masonry in course of construction, 458.73 square meters.	2,200
.....	Market place, 8 "cana-nipa" sheds.	200
.....	Townhall, light material, fair condition, 799.84 square meters.	100
.....	School, light material, walls of stone, 97.84 meters, in good condition.	600
.....	School for girls, light material, on private property, good condition, 26.84 square meters.	100
.....	Market place of cane, on private property, fair condition, 1,841.62 square meters.	300
.....	Dwelling house of teacher, light material, on private ground, in good condition, 87.80 square meters.	150
.....	Townhall, in bad condition, 228 square yards.	5,000
ti)	Two schoolhouses for both sexes, for 200 children, masonry, 825.83 square meters covered by the 2 buildings, on private land, with an area of 828.33 meters.	8,000
.....	Market place of cane and "nipa," in very bad condition, on private property, 2,474.45 square meters.	3,940
.....	House for distribution of potable water, with fence of cane; 2 sheds of galvanized iron, cane, and "nipa;" 2 tanks of iron weighing 20 tons, on private land, area 233.09 square meters (total value.)	220
.....	Total value	90,240

be data from the other pueblos have not been received in time for insertion herein.

Municipal officers.

Pueblos.	Presidentes.	Vice-presidentes.
.....	Señor Miguel Pereda	Señor Andres Herrera.
.....	Señor Feliciano Mediran	Señor Antonio Ramos.
.....	Señor Felix Cuenca	Señor Pedro Malinis.
.....	Señor Cirilo Gloriant	Señor Santiago Belostrino.
.....	Señor Juan Papa	Señor Bonifacio Tenedero.
rio)	Señor Catalito Nicolas	Señor Vicente Salazar.
o)	Señor Benigno Santi	Señor Tomas Vales.
.....	Señor Juan Canoy	Señor Simcon Reyes.
.....	Señor Licerio Topacio	Señor Pedro Buenaventura.
.....	Señor Eugenio Salazar	Señor Francisco Pio de Roda.
.....	Señor Jose R. Bautista	Señor Felipe Custodio.
.....	Señor Calisto Liboro	Señor ———.
.....	Señor Gumersindo Abeleda	Señor ———.
.....	Señor Juan Bello	Señor Teodoro Mojica.
n)	Señor Florentino de Gula	Señor Joaquin Angeles.
ues)	Señor Mercelino Aure	Señor Doroteo Panganiban.
.....	Señor Cirilaco Nazareno	Señor Pedro Valenzuela.
.....	Señor Pascual Alvarez	Señor Nicolas Ricafrente.
arinas)	Señor Placido Campos	Señor Domingo Mallari.
.....	Señor Catalino Abueg	Señor Severino Abueg.
co)	Señor Ponciano Arnaldo	Señor Wenceslao Viniegra.
.....	Señor Ramon P. Santos	Señor Mariano Manalo.
.....	Señor Jose del Rosario	Señor Cirilaco Montano.
.....	Señor Isias Benjamin	Señor Engracio Salazar.
.....	Señor Vicente de Leon	Señor Blas Catamisan.

be data lacking in this table, as well as in the preceding ones, will be supplied later. The pueblos are without public municipal buildings: Alfonso, Carmona, Imus, La Carlota, Marikina, and Santa Cruz.

Payments authorized by the provincial board.

	U. S. currency.
Personnel.....	\$6,455.60
Traveling expenses and errands	868.77
Furniture and office supplies	1,030.02
Rent of house for the government and court	48.00
Maintenance of provincial prisoners	590.00
Repairs on furniture and buildings	51.15
Porterage and transportaion	7.50
Total, barring errors or omissions.....	9,052.04

ADDENDUM TO REPORT.

I find, after closing my report, that I have failed to make any mention of an incident which took place less than twenty years ago in the pueblo of Alfonso, and which was communicated to me at the time of my recent visit there on the occasion of the municipal elections.

Alfonso is one of the most extensive pueblos in the province. Some thirty years ago it became an independent pueblo, upon its separation from Indang. Its products are reduced nowadays to rice and hemp, conducted on a small scale, and the municipal returns are not as rich as they used to be when the pueblo was one of the emporiums of coffee and cocoa. Its population is distributed among the following eight wards: Centro, Malaquing-Bayan, Paho, Esperanze, Marahan, Matabac, Sinalio, and Caytitinga. The place called Pansinc has recently grown in importance, owing to the number of families from the province of Batangas who have taken refuge there since the revolution of 1896, and is now also large enough to become a ward.

In regard to the incident to which I referred above: It happened less than twenty years ago, and has reference to the districts called Caylauay, Batang, and Bato, which formerly belonged to the pueblo of Alfonso, but which, through the influence of Señor Pedro Roxas with the Spanish Government, then ruling in these islands, were annexed to the farm of Nasugbu belonging to the said Roxas by virtue of a decree issued by the authorities, in which decree it was further declared that the boundaries of Batangas extended to the river Inusugan all along the line, whereas up to that time its boundary line on the side of the province of Cavite had extended only to the river Ludlud-na-malalim. In the execution of the said decree the protests of the disinherited parties were silenced by force. It makes one shudder to recall this incident. I take the liberty of suggesting that the government, after making an investigation, should take the proper steps in the premises, for the minds of the aggrieved parties are not quieted, in spite of the lapse of time.

MARIANO TRIAS,
Governor Province of Cavite.

Official copy respectfully furnished his excellency William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

Executive Secretary.

OFFICE OF THE EXECUTIVE SECRETARY

FOR THE PHILIPPINE ISLANDS.

Manila, P. I., February 3, 1902.

ANNUAL REPORT OF THE GOVERNOR OF BENGUET.

GOVERNMENT OF THE PROVINCE OF BENGUET,

OFFICE OF THE PROVINCIAL GOVERNOR,

Baguio, P. I., January 18, 1902.

Hon. LUKE E. WRIGHT,

Chief Executive of the Insular Government, Manila, P. I.

SIR: Entering upon the duties of my office the middle of last November, I recognized the necessity of immediately acquainting myself with not only the duties of my office, but with the resources and needs of my people and province, the habits and customs of my natives, and also to get closely in touch with the whites, the miners, prospectors, and fortune hunters of this district, among whom the nations of the earth are represented.

After much arduous labor, diligent research, and constant association with these people I submit the following report to you, knowing you will make due allowance for my declining to discuss herein to any extent those subjects with which I have been unable to thoroughly acquaint myself in this short time.

On the 3d of December I started on a tour around the province for the purpose of conducting elections, visiting my people, and seeing the country.

The law provided that the natives should conduct their own elections, and all on the same day, the 3d of December, but it was not so understood, and they expected to conduct this election as they had the first, in the presence of the governor, hence the necessity of my hurried trip. I was on this trip seventeen days, the only American in the party, and my Spanish clerk, Carlos A. Sobral, was the only other white man in the party.

We were constantly surrounded by natives, who escorted us from one pueblo to another, passing us along, dragging us through rivers, sometimes under, sometimes over, and feeding us that of which we ate and drank, and asked no questions for conscience' sake.

I write of these features of our trip to show not only how safe we felt, but how safe we were, for here there is no war between the native and the white; no insurrecto lingers within the limits of this province to hold an overconfident Americano.

I did find a little trouble among the Busoles of the north, who take advantage of this season of the year to plunder, rob, and sometimes kill. This affected and alarmed the inhabitants of Cabayan, Bugias, and Lao to such an extent that I deemed it advisable to send a detachment of constabulary into that section to restore confidence.

There are only two ways of handling this Busole question: one is annihilation and the other is continual intimidation.

There are 400 Busoles here in Benguet; 200 of these have manifested a disposition to return to barrio or pueblo life, and expressed their willingness even to pay the dollar tax of the pueblo.

I shall therefore continue to keep a patrol of constabulary in this district to protect the property and life of the inhabitants and hunt down all marauders.

Besides which, I have ordered an expedition of constabulary, under the chief inspector of this province, to make a reconnoissance through the Busole country, simply as a demonstration, with orders to molest nothing unless forced to by circumstances.

I believe with this little trouble, probably to be repeated as a safeguard next dry season, that Busole disturbances will soon be a matter of the past.

At Ampusuning I completed the work already begun by my predecessor and organized the pueblo with apparent satisfaction to all concerned, and the officials thereof are to-day performing the duties of their office faithfully.

On the 1st day of January, 1902, nearly all the township officials of the province, to the number of 106, met at this office for conference with the governor and to elect their popular representative. These officials were accompanied by many retainers, one chief having a train of 30 men to carry his food and blankets, look after his horses, and attend his person.

At least 500 Igorrotes were present at the election. Though only the officials participated and only the presidente voted, every town was represented.

The popular representative is a full-blood Igorrote known among his people as Ansil, who was converted to the Christian faith during the reign of Governor Bejar, the governor himself standing god-father to him and bestowing upon him his own name, Juan Bejar, by which he is known officially. He is a man of property and brains, holding a position of great influence among his own people for many reasons, and among the Ilocanos because he possesses a diploma of civil merit from the Spanish Government.

ROADS.

The native roads here are no more than trails which lie on the hog-backs, run over the highest mountain tops and into the deepest valleys, maintaining in general a direct course regardless of difficulties, only avoiding all occasion to bridge.

Within the knowledge of the oldest inhabitants there have heretofore been only two governors under the Spanish rule, and Mr. Whitmarsh, under the American, who ever made a complete tour of the province, and none have repeated the effort. So, if they made any suggestions regarding roads their suggestions were not followed up by the people who use them.

Having no supervisor for this province I carefully observed the terrene as I passed, and carefully conferred with the presidentes and cabezas of each pueblo and advised changes, improvements, and bridges to only such an extent as would be within their immediate reach, and informed them that I would return next May expecting to find much better roads.

From reliable information I learn that my recommendations are being universally carried out, but it must be remembered that this is a mountainous province and that what an American calls "good roads" will be a question of much time.

To-day not a wheel turns on any road in this province.

PRODUCTS.

Coffee is the only production in excess of consumption of the province, and the surplus is small, having never been over 600 cahans, and this year being about 400. It is, however, of a remarkably fine

grade, being a good-sized berry, perfectly clean, without blight, and possessing a flavor equaled only by a combination of the best Mocha and Java. Rice is raised in large quantities and with the camote form the principal products of the Igorrotes of Benguet. The climate and the soil here, however, will produce anything that can be grown in the Temperate Zone.

On the government property are growing and fruiting now the coffee and the tea, the lemon, orange, and banana. All States vegetables can be grown here, and I have plucked and eaten as delicious strawberries here as ever I did in America.

Agriculture should be fostered in this province. These people enjoy their gardens, if they do make their women work them. They are avaricious, desiring the peso for their love of the peso, not for what it brings. They will improve and increase their production in hopes of a consideration, and as soon as the desirability of this climate and locality becomes known there will be a demand for much more than they produce.

EDUCATION.

The educational problem here, as elsewhere probably, is full of difficulties, perplexities, and annoyances.

The department has been exceedingly liberal with the province, assigning to us 11 teachers (American). These teachers are doing their utmost, working faithfully and honestly, with limited supplies, enduring privation, without recognition, striving for success under the present system, with only failure staring them in the face.

My people, the Igorrotes, believing in the American and that all he did was for their good, took great interest in schools and with pleasure erected schoolhouses even where there were no teachers in hopes that they could secure one.

They sent their children to school in hopes that they would return to tell them something of value that they had learned.

It is the Indian school question over again.

The show has been stale and the average attendance of the schools in this province is from as low as 6 to about 50 at the most. Thus at a cost of about \$14,000 we are endeavoring to school less than 300 natives.

The Igorrote is the native in his original state. No attempt has ever been made to educate him as a race. No culture has ever been offered him. He is a near approach to primitive man. He wishes to see immediate results and will work for that, but will not wait.

He does not slight his work, he does everything as well as he can. The boy perseveres until he pronounces an American word like an American. An ignorant Igorrote three months ago walked into the real camp. To-day, Mr. Knowlton tells me that he never had a better blacksmith in modeling and tempering than that same Igorrote. Old Spanish governors used to take a boy from each pueblo and farm him out as a servant to good families, and such close observers are they that the boy would return profiting by what he had seen and to day is influential among his people.

I would recommend a system of education by which the boy and the boy's father will see that he is accomplishing something of value in pesos and centavos without in any way divorcing him from the customs and habits of his people.

Make it an industrial school taking ten boys from each pueblo, which would be gladly furnished.

Otherwise, and that immediately, we must consider a compulsory school system.

I would further recommend that as each teacher in this province faces the same difficulties, experiences the same privation, and does the same amount of labor as the other, they receive equal pay, and further, as the language here differs from that of any other province, qualifications be taken into consideration and promotions confined to the teachers of the province.

MINERS, MINES, AND MINERALS.

With this class of my constituents there is no new ground to traverse. They are the same brave, daring adventurers who have in all past ages been the advance guard of armies in an enemy's country, the pioneers of the wilderness or the explorers of the unknown, and all for their love of the "search of gold." These men are not to be met or influenced by sentiment or diplomacy. Their white, pinched faces indicate the condition of their commissary stores, and honied words will not sweeten the dregs of the cup from which they drink. They want facts not theories; they want to know what obstacles confront them, and they want to know the worst first. They are law-abiding, ready to fight for law as long as law is effective. My miners are my citizens.

There is here under the earth and in the sides of these valleys gold, silver, and copper in large amounts, but all quartz beds. There is not enough placer gold here to even make a rush of that class. It will take capital to transform this rock and dirt into the commercial standard of trade.

Capital will be glad to take hold of this enterprise and put in large quartz mills, heavy machinery, armies of workmen, requiring tons of supplies. But none of this can be considered under the existing mode of transportation. Nor is this the only drawback. Congress should immediately relieve the situation here by the passage of an American mining law, in accordance with the recommendations already made by the Commission and which are universally satisfactory.

THE DAGUPAN ROAD.

This wonderful work of engineering, the labor employed thereon, the money distributed, and the results anticipated affect every enterprise and must be taken into careful consideration in the evolution of every plan. The labor question alone involved in this work presented difficulties and perplexities that would have appalled less determined and persevering men than those in charge of the different branches of the work in this province. These men have learned the language of the Igorrote and acquainted themselves with their customs, have treated them kindly and endeavored to make the work sufficiently agreeable, that they might return more labor to it. Labor is not, can not be, impressed. The wants of these people are as few as their necessities. Na . . . with a liberal hand, supplies both. They are not lazy; when they work they work hard; but they have no desire for continuous labor. Their philosophy does not teach them to lay

up much treasure here, where moth and rust corrupt and thieves break in and steal.

The shifting mountain sides have presented another problem unknown or unappreciated when the work was planned that has cost more time, labor, and money than was expected, and caused of course much embarrassment. This road has now a finished bed for about 8 miles from Baguio, and is broken open and the rock blasted out 6 miles farther, upon which four hundred and fifty laborers are now doing finishing work. A thousand feet below the Bued River rushes along, wasting power that can easily be utilized and which is permanent the year round and sufficient for all demands.

When completed this will be one of the most scenic routes of the world and a monument to American genius and enterprise.

Should an electric road be put on this bed, and of course no other will be considered, I would recommend that when in your judgment you think it necessary, you appoint for supervisor of this province a mechanical rather than a civil engineer—one who can erect a sawmill, operate it, produce therefrom bridge timbers, and build bridges, cut the ties for the road, make the woodwork of the cars that would be needed here on the road, put on the electric plant, adjust the dynamo, and start things running; one who can plan and build the public buildings you may desire here, utilizing this labor and avoiding annoyances of contractors.

Such a man when needed I will take pleasure in recommending for your consideration.

MILITARY.

My relations with the military of this entire district, and especially of my province, have been universally cordial and pleasant.

General Bell personally selected a reservation 2 miles southeast of Baguio, through one edge of which runs the Dagupan road. An engineer officer has surveyed the ground and is mapping it for future purposes. There is a water power on this land sufficient for a sawmill that would be of the first importance in the construction of an army post here, and which could be afterwards utilized for electric lighting and water accommodation of the reservation. Hospital location seemed to be given first consideration in the selection of this reservation.

In the light of other and more complete reports it is needless for me to speak of the value of my province to the archipelago as a sanitarium. The Spanish archives contain able reports from governors and special commission urging the establishment of convalescent hospitals and sanitariums here. American committees have reported on the health conditions here and made the same recommendations. I can add nothing to what has already been written, for I am confident that theories will soon be put in practice after the new road opens up this heretofore nearly inaccessible province.

Very respectfully,

WILLIAM F. PACK,

Governor.

Official copy respectfully furnished His Excellency William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSON,

Executive Secretary.

OFFICE OF THE EXECUTIVE SECRETARY

FOR THE PHILIPPINE ISLANDS.

Manila, P. I., February 3, 1902.

ANNUAL REPORT OF THE GOVERNOR OF ILOCOS SUR.

OFFICE OF THE PROVINCIAL GOVERNOR,
Vigan, Ilocos Sur, P. I., January 11, 1902.

The CIVIL GOVERNOR,
Manila.

SIR: In compliance with the provisions of article 7 of law No. 83, requiring a report to be filed with the executive chief of the archipelago by the provincial governor, at the beginning of the year, in regard to the condition of the province, and to contain recommendations respecting the executive or legislative measures best calculated to better the conditions of the same, I have the honor to set forth the following:

GENERAL CONDITIONS OF THE PROVINCE.

Political situation of the province.—In regard to the general order and state of tranquillity in the province, it may be stated that for some months past the most absolute order and tranquillity have reigned throughout, as indicated in another earlier report, furnished at the request of the government.

As I also stated in the report referred to, from time to time alarming rumors are heard, set on foot and propagated principally by the American soldiers, but I am convinced that they are absolutely without foundation. The public order in this province could be disturbed only in the event that an armed party from without should succeed in entering the province; such a party might take refuge in the mountains and make attacks upon the roads and the outlying districts of the pueblos. But in view of the vigilance strictly enjoined upon all the municipalities and the watch kept always by the Philippine constabulary stationed in this province, I regard this so improbable as to be almost impossible, and even if by some misfortune such a thing should come to pass, I have no fear whatever that the pueblos would second the movement of any revolutionary party; rather I am of the opinion that they would all be disposed to exterminate such a party. The pueblos are really convinced of the true happiness that peace brings to them, and I believe that they would not exchange the tranquillity they now enjoy for any ideal, more or less distant and problematic.

Municipal elections.—The municipal elections held throughout the province, in September and October in 22 pueblos and in December in Vigan and Candon, were, in spite of the strong spirit of rivalry awakened in some pueblos by the thirst for power, conducted very peaceably and without the occurrence of any incident worthy of particular mention. The provincial board has received only one protest against the election of a municipal president.

Industry and commerce.—The commercial and industrial life of this province has not only recovered the activity displayed before the revolution, but is beginning to grow to such an extent that, if the prosperous movement continues, I doubt not that it will be productive of flattering results. The spirit of combination has encouraged the business men, before so timid and backward, to unite their modest capitals. Vigan and Candon lead this prosperous movement: in Vigan a society has been formed, under the name of "La Ilocana," to carry on the manufacture of cigars and cigarettes and transactions in leaf tobacco and other articles, besides other societies of lesser importance:

and Candon also has three or four societies devoted to industry and commerce.

Agriculture.—Agriculture is now passing through a great crisis by reason of the ravages of the rinderpest, which has killed 90 to 95 per cent of the bovine and buffalo (carabao) cattle. The direct results of this scarcity of cattle are: First, a lack of labor in the fields, which it is calculated has reduced last year's crop of rice, sugar, and other products of less importance to one-half of what it was ordinarily before this recent attack of the rinderpest; secondly, an increase in the price of cattle and in the wages paid to farm hands, the latter having risen three-fold, and thirdly, a scarcity of meat for the supply of the public. It is said that in Narvacan and Sinait, and perhaps in other pueblos as well, the crop of rice has been reduced to about 10 per cent of the ordinary yield.

This terrible plague first visited the province some fourteen years ago, or in 1888, and it left scarcely 5 per cent of the cattle living, which before were sufficiently numerous; and as the plague was not energetically combated by the board of health (to which department the matter was intrusted), by reason of the lamentable indifference of the administration in questions of the utmost moment, its ravages spread triumphantly through the whole archipelago, leaving hardly a corner unvisited. The country had scarcely begun to recover from the effects of this terrible disaster when there came the revolution of 1896 and the war, and shortly afterwards the second invasion of the rinderpest, which was as deadly as the first; and though at present the plague has fortunately disappeared from this province, I believe that it still continues in some others. It is obvious that if an efficacious remedy is not found for the rinderpest, this will prove one of the most terrible enemies of agriculture and the pecuniary wealth of the country, visiting it every ten or twelve years. It is urgent, therefore, that the provincial and municipal boards of health already created by law should be filled, so that they may combine in combating this fearful plague, applying in practice the modern methods of treatment which, so it is said, have been tried with happy results in some provinces of the south.

To relieve this crisis resulting from the lack of cattle, the provincial board, when it sees that the ordinary resources of the pueblos are insufficient to hold the plague in check, will propose to the central government such measures as it deems adequate.

Municipalities.—In regard to the economic life of the municipalities I have to state the following: Vigan, Candon, and Narvacan are able to carry their burdens and obligations easily, and even to undertake works for the bettering of their present condition; and such of the other pueblos as are of fair size are able to subsist, living from hand to mouth, as the saying is— that is, without any resources for bettering their condition; but the small municipalities lead a life of such poverty that they are scarcely able to meet their most urgent needs and necessities. This is due to the fact that the greater part of the sources of revenue created by the municipal code for the municipalities are either barren or entirely illusory. For example, the fishery licenses, the taxes for the registration of property and transfer of cattle, the contributions from markets and slaughterhouses, the licenses for the sale of intoxicating liquors and alcoholic drinks, and the keep-

ing of cockpits, and the half of the proceeds from the industrial tax, bring in a good sum in the more densely populated pueblos; but in the smaller pueblos the returns are quite insignificant or absolutely nil; and the remainder of the taxes, such as those proceeding from the municipal stables, public baths, burial places, teaching establishments not maintained by the municipality, billiard tables, theatrical performances, horse races, circuses, carriages, wagons and hearses, cafés, restaurants, hotels, inns, and boarding houses bring in absolutely nothing to the municipalities, for the simple reason that there does not exist in them any of the things taxable, excepting in Vigan and Candon. In regard to real estate, only the pueblo of Bantay owns any large area of land, and in regard to ferries the pueblo of Santa is the only one drawing any revenue from this source, there being a service of cane rafts at that point, where the river is fairly broad.

So that of all the municipal sources of revenue the most reliable for all the municipalities are the cédula, or registration tax, paid by all resident males between the ages of 18 and 55, and the impost on vehicles, provided in paragraph (j) of article 43 of the municipal code. The last-named impost has been raised in this province to its maximum limit—that is, to \$5 Mexican, a year—in all the municipalities, as this quota is the one that corresponds to the vehicles used here. The municipal fines are a very fortuitous source of revenue and can not be counted upon except in a few pueblos, and even in these the returns are of but little importance.

I do not believe that the future ad valorem tax on real estate will entirely relieve the situation in the poor municipalities, judging from the approximate calculations made of its application and total amount. To talk to these municipalities about fusion is a waste of energy. Each one prefers to carry on its life alone and independently, although poor and without any hope of improvement or progress, rather than to amalgamate with others, on the ground that it is "better to be the head of a mouse than the tail of a lion."

Public instruction.—In this province the public instruction is sufficiently advanced, as far as in others of the same category. From data received from the office of the superintendent division of public instruction of this district, it appears that we have now in the province 25 American professors, male and female, distributed among 17 pueblos. Only 7 of the smallest are still without American teachers, and in all there are Filipino schools and instructors. The number of children in attendance at school reaches a total of 7,000. Night schools for adults have been opened in this capital and in other pueblos and are well attended.

Hygiene and health.—The hygienic conditions of the province are usually excellent. However, in the months of December, January, and February, on account of the winter cold and the harvesting of the rice, malarial fevers are apt to break out, attacking particularly the people in the country. In summer smallpox also attacks the pueblos, especially the children, and sometimes even the adults.

With the forthcoming organization of the municipal and provincial boards of health and the more efficient vaccination service, I am hoping that the ravages of this disease will be in great measure stayed. In the past year of 1901 the epidemic laid low many victims in the different pueblos of this province.

PROPOSED LEGISLATIVE REFORMS.

Carriage tax.—First. Of the vehicles now taxed \$5 Mexican a year some are hacks engaged in the transportation of merchandise, and others, perhaps the majority, are engaged exclusively in the service of agriculture. The owners of the first-named vehicles can very well carry said municipal impost of \$5 or even \$6 a year; but the owners of the others—that is, of those employed in agriculture, which are regarded as farm tools—complain much, so I understand, about the tax; and I have heard that some of them, in order to avoid its payment, have taken their wagons to pieces. I think that it would be very proper to reduce the quota on such vehicles to \$2 Mexican a year, since, by reason of the poverty of the small municipalities, it is not possible to abolish the tax altogether, as was done in the time of the Spanish Government. This reduction would at the same time tend to protect agriculture, which, as has been stated above, is passing through a severe crisis.

Municipal elections.—Secondly. Under article 9, letter (b), of the municipal code, questions arising in regard to inclusion in and exclusion from the list of qualified electors are to be determined by a board composed of the municipal president, the vice-president, and the treasurer. From my experience in the past elections, I am of the opinion that this provision of the law would be likely on some occasions to result seriously. It would be strange if a president desiring his own reelection, or favoring the candidature of some relation or friend, should not be able to get what he wanted, seeing that he has it within his power to include in the list of electors any persons who are friendly disposed toward him and of excluding those who are not. It is true that he is assisted by other persons in determining the questions referred to; but these are the vice-president and the treasurer, who are entirely under the influence of the president.

In my humble judgment it would be well to amend the municipal code in this particular, making the board of electoral judges created by article 10 the body by whom all protests in regard to the qualification and inclusion and exclusion of electors should be heard, the appointment of said board being made earlier in date. It would also be well to make an allowance of 2 pesos a day to each one of said judges during the time of their service.

Cedula tax. Thirdly. In order to increase somewhat the revenues of the municipalities, since it is considered necessary for the present to preserve the cedula or registration tax, I believe that without becoming a burden this tax might be increased to \$1.50 Mexican, instead of \$1 Mexican, as at present provided by article 26 of law 133 amending law 83. This increase would not be at all burdensome to the people, for after all they would be paying much less than in the time of the Spanish rule, when even the women paid this tax, in addition to the forced contribution of personal services, to which all males from 18 to 60 years of age were subject, and which was commutable at \$2.25—an oppressive and abusive burden in every sense, now suppressed.

Tax on weights and measures. Fourthly. The municipal revenues would also be increased, although not much, by the creation of a tax upon weights and measures, a tax that was imposed formerly. This impost would have the additional advantage of making uniform the weights and measures in use, and of preventing many frauds in daily transactions.

Justices of the peace.—It is observable that the provincial board is having difficulty with its nominations of justices and auxiliary justices of the peace, seeing that many of those recommended resign their offices after being appointed by the civil Commission. I believe that to obviate these difficulties one of two things should be done. Either the offices of justices and auxiliary justices of the peace should be declared obligatory, thus placing them on the same footing as the municipal offices, or else a fixed monthly compensation, to be paid out of the funds of the corresponding municipality, should be attached to the offices, the amount to be determined by the municipal council, together with a moderate allowance for office expenses.

Very respectfully,

M. CRISÓLOGO,
Provincial Governor.

Rumors of outbreaks.—Postscript: During the last few days a rumor has been current in this city that a party of insurgents, or bandits, passed recently through the outskirts of the pueblo of Candon; and as I had not received any report from the president of said pueblo confirming the same, nor from the president of any other, I telegraphed to the former on the 8th instant, instructing him to make an investigation of the matter and discover the source of the rumor. To-day he answers me as follows:

JANUARY 10, 1902.

PROVINCIAL GOVERNOR, *Vigan*:

Telegram received. After making a private investigation I called to-day an extraordinary meeting of the municipal council, together with the lieutenants of the wards, and we all protest that these rumors are entirely without any color of truth. We will all exercise extreme vigilance. Nor have the members of the formal municipal council any knowledge of the matter under investigation.

BASILIO MADARANG, *President.*

It seems from private investigations made by me that the source of the rumor was a report from the commanding officer of Candon to the commanding officer of this city. It is believed also that the last-named communicated it to Manila. Afterwards some officer spoke of the report to other persons. In this way the rumor was propagated, and it has been commented upon and is being commented upon in a thousand ways.

M. C.

Official copy respectfully furnished his excellency William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

H. W. FERGUSON,
Executive Secretary.

OFFICE OF THE EXECUTIVE SECRETARY

FOR THE PHILIPPINE ISLANDS,

Manila, P. I., February 4, 1902.

Senator CULBERSON. I offer a resolution that the Secretary of War be, and he is hereby, requested to send to the Committee on the Philippines, United States Senate, a copy of telegraphic circular No. 1, issued by Brig. Gen. J. F. Bell, which seems to have been omitted for

some reason. It commences with circular No. 2 in the orders that he has sent the committee.

The CHAIRMAN. If there is no objection I will ask for it to-day.

Senator PATTERSON. I can not remain to-day, and here is a list of names of witnesses I should like to have summoned. I want to say that I have the assurance of the very best people that these are all thoroughly reliable and truthful people. I did not put their names in until I had satisfied myself as to their reliability.

The CHAIRMAN. I have a long list here and I will put these in with the rest. I do not think there is any objection.

Senator CULBERSON. Do I understand that my resolution was adopted.

The CHAIRMAN. Yes; without objection it is adopted.

Senator CULBERSON. I have another matter which I desire to submit before Captain Hall begins his testimony. I ask, Mr. Chairman, that the papers which I have here be printed as a part of the proceedings of this committee. They consist of copies, first, of a petition presented to the President of the United States by Clemencia Lopez; second, an analysis of the evidence in support of that petition by Mr. Louis D. Brandies, of Boston, an attorney; third, letters from the members of the Lopez family in reference to their complaints and as to conditions in the province of Batangas; fourth, letters from Capt. George Curry, chief of police of Manila, General Bell, General Wheaton, Colonel Bullard, Captain Reeve, and some others whom I do not now recall, and a copy of the answer to that petition made by the President of the United States through the Secretary to the President, dated April 23, 1902, and addressed to Mrs. Mabel Bayard Warren, of Boston.

Senator BEVERIDGE. What is the petition, Senator?

Senator CULBERSON. It is a petition addressed to the President as to relief from certain acts charged to the military authorities of the United States to the Province of Batangas—

Senator BEVERIDGE. During what time?

Senator CULBERSON. During December—

Senator BEVERIDGE. During the occupancy by General Bell?

Senator CULBERSON. Yes. Of course, Mr. Chairman, I do not mean to vouch for the truth of any of these charges in these papers; I have no personal knowledge on the subject. I think they should be presented here and the committee ought to consider them and take such testimony in reference to them as may elicit the real truth concerning them. That is my reason for asking that they be printed with our record, so that the committee may have full opportunity to examine them and take such action in reference to them as may be proper under the circumstances.

The CHAIRMAN. I think there should be printed with them any papers relating to the subject that may be in the War Department.

Senator BEVERIDGE. I think these petitions ought to be considered by the full committee in executive session, precisely as we would consider any question of summoning witnesses, where there is a question as to whether they shall be summoned, especially in view of the origin of them. I do not think they should be printed as a matter of course. I do not know that I shall have any objection myself to printing them, but I do think this is a subject for consideration by the full committee in executive session, and I request it.

The CHAIRMAN. Of course, if any Senator desires to examine the papers before they are printed, he has a right to do so.

Senator BEVERIDGE. And I request that this be considered in executive session.

The CHAIRMAN. Very well, we will leave that to an executive session of the committee, when we can read the papers.

TESTIMONY OF JESSE LEE HALL.

Sworn by the chairman.

By the CHAIRMAN:

Q. Your home is where?—A. San Antonio, Tex.

Q. And you were in the Army?—A. Yes, the Thirty-third Infantry.

Q. Volunteers?—A. Yes, sir.

Q. What rank did you hold?—A. First lieutenant.

Q. And how long were you in the Philippines?—A. A little over eleven months.

Q. When did you go there?—A. I went there in October, 1899, and left there in September, 1900.

Q. Were you engaged in active operations?—A. Most of the time; until the active military operations ceased so far as the advance of the army north and south was concerned.

Q. Under what general did you serve?—A. I served under General Lawton; immediately under the command of General Young, however, under General Lawton. I then reported to General Lawton, the morning he was killed, to go south on the advance on the south line, after the campaign had ended north of Manila.

Q. Did you witness any cruelties, such as the administration of the water cure, to natives by our troops.—A. I never did.

Q. You never did?—A. I never did.

Q. Were you brought much in contact with the natives?—A. I had command of the native scouts, the Macabebe scouts; that is, I had command of a portion of them; I was second in command.

Q. What was the conduct of those scouts?—A. Well, the conduct of those scouts was good, on an average.

Q. Did they exercise or attempt to exercise cruelties toward hostile Filipinos?—A. No; except they were a little more vicious than American soldiers in battle.

Q. We will be glad to hear from you, Mr. Hall, as to any general statement you have to make in regard to the treatment of hostile Filipinos, personally or otherwise, or by the Macabebes?

Senator DIETRICH. In connection with that I would like to ask him one question.

The CHAIRMAN. Certainly.

By Senator DIETRICH:

Q. I noticed some time ago in Bryan's Commoner a picture of Aguinaldo, and by him was standing a Macabebe soldier. The soldier was naked except for a breech cloth, with bows and arrows, and he was pictured as a perfect negro. Is that a correct representation of a Macabebe?—A. No; the Macabebe is a pure Pampangan.

The CHAIRMAN. Of the Malay stock?

The WITNESS. Of the Malay stock, yes. They live at the mouth of

the Pampanga River, a division of the great Pampangan tribe, and they are about as much enlightened, probably, as any division of the Philippines. They live under a baronial sort of government, under Don Juan Blanco. It is a little different from any other section, perhaps. Do you want to hear who the Macabebe is?

By Senator DIETRICH:

Q. Yes; how is he dressed?—A. I don't know how General Funston dressed them, but I understand that he put them in Tagalo uniforms——

Q. I mean the Macabebes in the service of the United States; please give a description of them.—A. The Macabebe soldier is dressed usually with a pair of khaki pants and a hickory shirt or cotton shirt or blue shirt. Now, instead of using a straw hat they use the campaign hat.

Q. But he is not a negro, as pictured in the illustration I referred to?—A. Oh, no.

Q. And he does not go around naked?—A. No, sir; he has straight hair.

Q. And he is an intelligent type of the Filipino?—A. Yes, he is a Malay.

Senator BEVERIDGE. The cartoon in Mr. Bryan's paper is not accurate!

The WITNESS. Certainly not.

By the CHAIRMAN:

Q. How were they as soldiers?—A. They lacked discipline in this way: They could not shoot much better than the Tagalos. They needed discipline; they needed treatment, and they needed, especially, target practice.

Q. Were they loyal?—A. The only loyal people there when the Americans first went there. There was a portion of the Ilocanos who were loyal, but the Macabebes were the only ones you could absolutely trust at the inception of hostilities.

Q. Were they good fighters?—A. Well, they were a little superior to the Tagalos, but I would not pronounce them good fighters; no.

By Senator DUBOIS:

Q. Were they popular with the other Filipino people?—A. No; they were at dagger's points with the Tagalos who surrounded them, and the upper Pampangans. They lived on the Blanco estates at the mouth of the river. He is a very benign sort of an individual. If he had had crops the Macabebe was always taken care of. The consequence was, Blanco being a Spaniard himself and married to a Mestizo woman, a half Spanish woman, he had great influence with them, and he kept them loyal to Spain, and raised a regiment from those people called the Guardias of Seville, composed mostly of Macabebes. They were indispensable as guides and to get information throughout the islands, and when war broke out the Tagalos of course were against them, and the animosity between them was very strong. They did not hesitate to kill each other when an opportunity occurred, as far as that is concerned; it was war to the knife between them and the others until they got American protection. Then the United States used them as I have said. They had been in the Spanish service and were loyal to the Americans because they could not join the others.

Q. They were loyal to the Spanish because they were attached to this Spanish ruler?—A. Yes, sir; and they had always been undisturbed. They had always gotten along nicely and they were thrifty.

Senator BEVERIDGE. They are industrious?

The WITNESS. They are an industrious people; yes.

The CHAIRMAN. Did the Macabebes attempt cruelties to the other Filipinos?

The WITNESS. Well, you could not say they attempted cruelties. When they took prisoners we would have to reprove them or hit them with a switch to keep them from making the prisoners carry their loads—their haversacks. I have stopped that. I have seen that sort of thing, if you could call that cruelty.

By Senator BEVERIDGE:

Q. You would not permit that?—A. No.

Q. You would make them carry their own haversacks?—A. I would make the men carry their own haversacks.

The CHAIRMAN. What was the general conduct of the war while you were there—I mean in relation to the insurrectos?

The WITNESS. Well, sir, under General Lawton the understanding and the thing impressed upon my mind—I only spent one night with him, I had known him in my youth on the Texas frontier, when we were both young men—we had quite a long talk and he impressed me that these people would be our people after a while and to keep account of everything we got or took, and that we should only fight the soldiers; that we should impress the inhabitants with the idea of our good intentions and destroy the idea that we are barbarians or anything of that sort. That was General Lawton's idea of the war.

General Schwan had precisely the same ideas about things in his conduct of the campaign in the south. I accompanied him throughout.

By Senator RAWLINS:

Q. You left there September, 1900?—A. Yes, sir.

Q. And you are not familiar with what has taken place in the islands since then?—A. No; I left there about the time, you know—well, at that time the resistance, so far as an organized army was concerned, had been over for several months. Then there was a proclamation by General MacArthur of amnesty and so forth, which specified a certain time, and then it was prolonged, and it was during this time, I understand, that this water cure and so on came about. I have heard of that from my men——

Q. You have heard of that since?—A. No; I heard of some of it over there. One of my sergeants was off on a scout and I asked him how he happened to capture so many guns and he told me he took a caribao horn and poured water through that into a native's mouth and made him give information as to where the guns were concealed. They captured about 60 or 70 guns in that way.

Q. General MacArthur was in command when you were there?—A. The last part of the time; General Otis was in command most of the time.

Q. And General MacArthur afterwards?—A. Yes, sir.

Q. In the spring of 1900, about May, did you know of any general order by General MacArthur forbidding the use of torture for obtaining information?—A. I remember the order; I don't remember the date of the order.

Q. Do you remember two officers being tried, being court-martialed, for hanging Filipinos by the neck and torturing them in that way?—A. No, sir; I don't recall that, I was not there and could not keep up with it at that time.

Q. Before you left you heard that the use of torture began to be employed?—A. Yes; I remember this thing distinctly, this incident of my sergeant going out and capturing these guns and telling me how he secured them.

The CHAIRMAN. Was that a Macabebe sergeant?

The WITNESS. A Macabebe sergeant. He told me how they got the guns, that he put the caribao horn in the fellow's mouth——

Senator DUBOIS. This torture was administered by a Macabebe and not by our soldiers?—A. Well, that was an old plan, you know, among the Filipinos. That has been in existence among them for years, as I understand it.

By the CHAIRMAN:

Q. The Filipinos had it themselves?—A. They had it themselves; they put it on the Macabebes, and the Macabebes put it on them.

Q. So it was not a new thing?—A. No, sir.

By Senator BEVERIDGE:

Q. It was not an invention of theirs?—A. No; I never heard of it, or do not think any other white man ever heard of it until he got over there.

Q. It had been in effect—— A. Yes. I never heard of that before. I have heard of other means being used to make people tell, but never that.

Senator CULBERSON. Any other means used over in the Philippines?

The WITNESS. No; I don't know of any; I never heard of hanging over there.

Senator BEVERIDGE. Any other means on the frontier?

The WITNESS. Yes; I have heard of other means on the frontier.

The CHAIRMAN. You say it was applied by the Macabebes to the Filipinos?

The WITNESS. Yes; they were familiar with it.

By Senator BEVERIDGE:

Q. They had been mutually dosing each other in that way?—A. Yes, sir.

Q. An exchange of water courtesies between them?—A. Yes; I don't know how much. I know the natives over there knew the cure.

Q. And the cure produced the guns?—A. And the cure produced the guns, so the sergeant told me. That is the only water-cure instance I can tell of. I asked him how in the world he got so many Mausers and he told me that that was the way; that he gave that water cure to two or three of them.

Q. These guns were the guns with which the insurgents or ladrones had been shooting at us.—A. Yes sir. The Macabebe is a good man in a way. He is not a good trailer, not like an Indian in that respect; but he can find out whether a man has any powder marks on him and so on; they are pretty good about telling who are hostile Filipinos.

By Senator DIETRICH:

Q. Do you not think from what you have learned that the water cure is much less harmful than the vino that was drunk by many of

our soldiers voluntarily?—A. I imagine it would be less harmful, yes, than vino.

Senator CULBERSON. Less harmful than strychnine, or any other poison, I suppose.

Senator DIETRICH. I said vino.

Senator CULBERSON. I understand; that is poison.

The WITNESS. Absinthe and vino are pretty much the same in their effect.

By the CHAIRMAN:

Q. Did you hear of any cruelties being inflicted by Filipinos on our men?—A. Yes; I heard that, of course. That ceased a great deal after we got so many prisoners. When we first went out there if a man got cut off they would do him. Many cruelties were inflicted, and especially in the Signal Corps.

Q. You say that ceased?—A. I say there was less of that toward the last.

Q. After we had—— A. There were a great many of the prominent men in our possession, but at the beginning we heard a great deal of that. When the game first started men were caught out and some of them boloed to death and hacked up.

By Senator CULBERSON:

Q. Did any of that occur in your command?—A. One of my men is all that occurred in my command. That was at Santa Cruz. He disappeared from the face of the earth, and afterwards we found some remains which were supposed to be his.

Q. Was he a Macabebe?—A. A Macabebe; yes.

Q. I believe you said you went out with the Thirty-third?—A. Yes, sir.

Q. And that regiment was commanded by Maj. Luther R. Hare!—A. Luther R. Hare; yes.

Q. He is now major of the Twelfth Cavalry?—A. Yes, sir.

Q. What battles were you in over there?—A. Well, I don't know that I was ever in a battle that you would call a battle; I was in a number of fights, and they went up to 20 or 25.

Q. What is the most extensive engagement that you were in; what was it called?—A. Well, the fight at Motelupa, on the Laguna de Bay, was the worst fight I was in.

Senator BEVERIDGE. That is the fight where General Lawton was nearly surrounded?

The WITNESS. No; that was after General Lawton's death. That was at the starting out of General Schwann's southern campaign.

By Senator CULBERSON:

Q. What about the battle of San Jacinto?—A. That was the biggest fight in the north.

Q. Were you in that fight?—A. No, sir.

Q. Part of your regiment was in it?—A. All of my regiment was in that fight. I was relieved on arrival in Manila in order to report to General Lawton before the regiment disembarked. I went up to San Isidro.

Q. Were you with Colonel Hare when he rescued Gilmore?—A. No, sir; I never served with my regiment.

Q. You commanded these scouts?—A. I commanded the scouts; yes. I was with my regiment in one little fight on the Alba River, when we

going up the river on rafts. I got out then and took command of the troops that were there.

Q. In these battles or fights, or whatever you call them, that you participated in, what was the relative mortality on the American side on the Filipino side?—A. I will tell you; I was always over the fields first in every fight I was in. I passed over the field where the enemy had occupied it, and I never saw as many dead as I saw buried afterwards. The dead may have been hunted up afterwards, but of course our business was to tangle up and keep in touch with the enemy, but I think the mortality has been very slight on both sides. I think it has been exaggerated, so far as my observation goes, especially as to the killing of the enemy. They take it for granted that blood blotches indicate deaths. A man could be mortally wounded, never, and be taken out 10 feet from where he was wounded and invisible; you could not see him, especially if you were in a hurry going on. But the Filipino is a better shot at a mile and a half than he is at 30 steps.

Q. You did not quite answer my inquiry as to the relative mortality—the relative casualties on the American and on the Filipino sides. What proportion were they; were they greater on the American or the Filipino side?—A. I think they were about three to one, so far as my observation went.

Q. Three to one?—A. Three to one; but there is more than that difference in marksmanship. You must remember that the Filipinos were behind works, or something of that kind.

Q. How did the Filipinos compare in physique? You said that there was more than a difference of three to one in marksmanship; what was the difference in strength if there should be a hand-to-hand contest?—Do you mean without weapons or with weapons?

Q. In any way.—A. In a hand-to-hand encounter the Filipino would have an advantage if he had his bolo against a gun; but as to the American soldier in physique, there is no comparison.

Senator BEVERIDGE. They would not get into hand-to-hand conflicts in a regular engagement if they could help it, would they?

The WITNESS. I have never known of an instance of that kind.

Senator CULBERSON. Why do you think a Filipino is a better marksman at the distance of a mile and a half than he is at 30 steps?

The WITNESS. I noticed this. We would have the advance, and frequently we would get into scraps and go over the works or impediments while the army was deploying behind us. I would lose nobody in my command, and the army behind us would have somebody killed there.

Senator BEVERIDGE. A bullet would fall down by the time it reached the army?

The WITNESS. That was my observation. I lost very few men. Lieutenant Boutelle was the only officer killed; there were 4 or 5 wounded.

By Senator CULBERSON:

Q. You say you think the relative difference in mortalities and casualties was three to one?—A. I do; yes, sir.

Q. Do you attribute that altogether to superior marksmanship?—Well, you know when Americans could see them they would kill them, if they were anywhere within a reasonable distance.

Q. Did you ever have occasion personally to observe extraordinary marksmanship that has taken place in action against Filipinos and have

remarked upon it afterwards?—A. Extraordinary mortality? I never did.

Q. And remarked about it afterwards?—A. I don't think I did. I never was in a fight where there was extraordinary mortality on either side.

Q. Now, you said a sergeant reported to you that he had administered the water cure. Was he a Macabebe sergeant?—A. My idea was that they took two or three people in this barrio and administered it; I didn't pay particular attention to it. I heard something said about the same thing afterwards, I think in Colonel Wilder's presence. He had command of a battalion then and he said, I think, that he had just begun to hear about the water cure, or something of that kind.

Q. That was Colonel who?—A. Colonel Wilder, and he said, I think, that if it was done it was not done under his direction, or something of that sort.

Q. What did he command?—A. He commanded a Macabebe battalion. He was in the Forty-fifth or Forty-second.

Q. Did you understand from that that he did not want to hear anything about it?—A. No; my idea was he said he had heard of that water cure; something was said in that way, the only thing I ever heard, and he said the water-cure he could not indorse, or something of that sort. I don't know whether it came up about his men or how.

Q. Did he get any orders not to administer it afterwards?—A. I don't know whether he got any orders about it one way or the other. That is the last time I ever saw him.

Q. Did you order it to cease in your command?—A. No; I left the command the next day or two.

Senator BEVERIDGE. And did it occur in your command so far as you knew?—A. No; I was off on leave when this occurred.

By Senator CULBERSON:

Q. You did not reprimand the sergeant for administering the cure or inflicting any other punishment on him?—A. No; I think I was packing up to leave the country about the time I heard of it.

Q. What I want to get at is, whether you imposed any punishment or made any objection—whether you ordered it to cease.—A. I did not. I did not know whether it would ever occur again or not.

Q. How many other reports were made to you, if any, after the administration of this water cure?—A. None. That is the only instance I know anything about where the man told me he had administered it; the only one.

Q. Did you notice the burning of any barrios or villages or towns or houses while you were there?—A. Yes; I can say that, but only by accident.

Q. You know of no cases except where it occurred by accident?—A. By accident; yes, sir.

Q. Do you know of any other character of punishment that was inflicted upon the Filipinos by either the American soldiers or the Macabebes other than that which you have already stated?—A. I have never inflicted any punishment on any prisoners except to make them make a pound of rice, to sift it, to feed themselves and the soldiers. That is all, so far as punishment is concerned, that I know of.

Q. Your experience covered about eleven months, you say?—A. Eleven months; yes.

. You stated in answer to Senator Lodge, I think, that the conduct of the Macabebes toward these Filipinos was on the average, I believe stated, good. What were the exceptions to that?—A. Well, I give you an exception now. We had a fight at a little place between—I can not think of the names; but at any rate we got inside the lines. We caught the sentries asleep, took their guns away from them while they were absolutely asleep, took off their uniforms and put them on our Macabebes, Cavite Battalion No. 1 or 2, or whatever they were; we put the striped shirts on the Macabebes and they went on their way on the road. We caught a colonel by his thinking some of his men were returning. I was within 30 or 40 steps of the colonel, and they took him, and they had his watch and money before I could get there. That is the only thing I ever saw occur in my presence.

. Were they restored?—A. Yes; they were restored to him. The Macabebe is like the Tagalo; if he finds jewelry he will take it, and he will take something to eat; but that is about as far as his meanness goes.

Senator BEVERIDGE. In that respect honors are easy.

The WITNESS. In that respect honors are easy, and in that respect the names are the same way.

Senator DIETRICH. You consider them equally as intelligent as the Tagalos?

The WITNESS. More intelligent, as a rule; but no whole tribe is as intelligent as the Tagalos, especially around Cavite and Manila.

By Senator CULBERSON:

. While you were there they did not pursue the policy of burning villages, and towns?—A. I never saw anything of that sort.

. Was it true that they fired on a flag of truce while you were there?—A. I never saw a white flag fired on; no, sir.

. A flag of truce is considered sacred, is it not?—A. Certainly; I never saw a white flag of truce fired on in my life.

The CHAIRMAN. What was the general treatment of the peaceful Filipinos by our Army?

The WITNESS. We were trying to make up to them all the time. The trouble was that the peaceful Filipinos were afraid to be friendly. That was my observation.

By Senator BEVERIDGE:

. Why were they afraid?—A. Simply because——

. Because the other Filipinos were hostile?—A. Well, we had to come in and say "I wanted to do that, but I had to pay \$900 a night"——

. To whom?—A. To the collector of taxes for Aguinaldo's army for things of that kind. There was absolutely no way of helping that.

. They were in terror of Aguinaldo's army?—A. That Katipunan would put anybody in terror—400 or 500 of them.

By the CHAIRMAN:

. That secret society?—A. Yes, sir.

. They committed assassinations?—A. Yes. They did anything; that was the backbone of the whole thing.

By Senator BEVERIDGE:

. And these Macabebes were experts at discovering these Katipunan?—A. Yes; they would look for blood spots the first thing.

Q. Cut on the—— —A. Like the prick of a pin. Here was the mark [indicating on wrist]. I never looked it up particularly.

Senator DIETRICH. They were letters K were they not?

The WITNESS. No; they were like pin pricks.

By Senator BEVERIDGE:

Q. Were you in China?—A. No, sir.

Q. You did not see the Boxer marks?—A. No, sir.

Q. I was going to ask you whether these Katipunan's marks were on the same order.—A. I don't know about that.

By Senator CULBERSON:

Q. I noticed here this kind of an order from General Bell:

BATANGAS, P. I., *February 12, 1902.*

To all Station Commanders:

The attention of all officers in this brigade is invited to the provisions of General Orders, No. 100, which preclude the killing of any person who can be captured as a prisoner of war, and the strict compliance with the spirit of this order in this regard is hereby enjoined upon all.

J. F. BELL,
Brigadier-General, Commanding.

A. I did not catch that.

Q. I will read it again.

Senator DUBOIS. This was after you left.

By Senator CULBERSON:

Q. This was after you left. You have stated that while you were there no villages were burned, no system of devastation was pursued, no flags of truce were fired on, and no prisoners were killed or maltreated. I want to read you this order issued by General Bell in Batangas long after you left, of course, dated February 12, 1902.

(Senator Culberson repeated the order of February 12 referred to.)

By Senator CULBERSON:

Q. I want to ask your opinion of what must have been the conditions there which would have necessitated such an order as this?—A. I don't know what the conditions were that would necessitate such an order. It may have been on account of the bushwhacking constantly keeping up when a large portion of the country was quiet, and the few men engaged in that bushwhacking were outlaws.

Q. This is a special order issued by the commanding general. I want simply your opinion as to the conditions which prevailed which necessitated such an order as that.—A. Not to kill Filipinos who could be captured?

Q. Yes.—A. I suppose he meant by that not to kill Filipinos unless they resisted.

Q. My question was what conditions probably prevailed to necessitate a special order of this character?—A. I can not tell you what the conditions were.

Senator BEVERIDGE. That is a matter of inference that any of us can draw as well as the Captain.

By Senator CULBERSON:

Q. I call your attention to a report of General Bell, dated December 26, 1901. This is a report of General Wheaton:

I am now assembling in the neighborhood of 2,500 men, who will be used in columns of about 50 men each. I expect to accompany this command. Of course

no such strength is necessary to cope with all the insurgents in the Philippine Islands, but the country is indescribably rough and badly cut up, the ravines and mountains. I take so large a command for the purpose of thoroughly searching each ravine, valley, and mountain peak for insurgents and for food, expecting to destroy everything I find outside of towns; all able-bodied men will be killed or captured. Old men, women, and children will be sent to towns. This movement begins January 1, by which time I hope to have nearly all the food supply in the towns.

Also, in the same paragraph, further along, he says:

I shall then move command to the vicinity of Lake Taal and sweep the country westward to the ocean and south of Cavite. Returning through Lipa, I shall scour and clean up the Lipa mountains. Swinging northward, the country in the vicinity of San Pablo, Alaminos, Tanauan, and Santo Tomas will be scoured, ending at Mount Macquilling, which will then be thoroughly searched and devastated.

I will ask you if any such policy as indicated by this report of General Bell which I have read was pursued by the generals while you were there?

A. No, sir.

Senator BEVERIDGE. Where did he write that from?

Senator CULBERSON. From Batangas.

By Senator DIETRICH:

Q. Up in these mountains there were usually what they called *ladrones*?—A. Yes, sir; *ladrones*.

Q. And perhaps it was the *ladrones* and the outlaws that that order pertained to?—A. As I said, there was nothing left there but the bushwhackers and *ladrones*. I think the resistance to the organized army over there had ended. While there was an organized army and we were following it from place to place, there was nothing of that sort. In fact, prisoners were turned loose; we let them go, and we treated them like we would treat children. It was as if we would spank them and let them go.

By Senator BEVERIDGE:

Q. On that point, and on the point several times mentioned of the prisoners taken, what was the treatment by the American soldiers and officers of the prisoners of war which we took, as to kindness and consideration toward them?—A. Well, we fed them and let them go. We paroled them, as a usual thing. We took good care of them and dressed their wounds if they were wounded.

Q. And if they were sick?—A. They got as good treatment as our own men received.

Q. From our own physicians and surgeons?—A. Yes; by our own physicians and surgeons. If I ever took a man as a guide, under the directions of General Schwan, I always paid him; and we always paid for chickens and everything else we got. Every horse we took I know was paid for. I would always give a receipt, if I could find the owner, and commissions came around afterwards to settle up.

Q. Where you took a horse you gave a receipt and a commission settled for it?—A. The quartermaster would settle, although sometimes the owners were gone and we could not find the owners, you know.

Q. You spoke a moment ago about the understanding you had there as to the policy of our officers and men toward the people, as to kindness, and, as you said, you made up to them.—A. That was the endeavor, to impress them with the idea of our decency and with

the good conduct of American soldiers and American people, to give them the right idea of it.

Q. Pursuing that and enlarging on the question of Senator Lodge, what was the general conduct of our officers and men toward Filipino people who were not engaged in hostilities, as to kindness and consideration?—A. They were kind to them. The idea was to impress them with the fact that there was no animosity existing as far as we were concerned.

Q. Were you with Lawton in May, 1899?—A. No; I reached him—

Q. You were not with him at San Isidro?—A. No; he was in San Isidro first; I did not get there until fall. That country had to be reoccupied. We fell back from there and we had to go out and go all over the same country again.

Q. When you left that portion of the country had been pacified, had it not?—A. Apparently so. The telegraph lines were undisturbed there for three or four months.

Q. Were you over that country before you left?—A. Yes; I was up at Calumpit and Tarlac.

Q. That Bagdad district?—A. Yes; up the Bagdad River.

Q. Did you observe the people had returned to their homes and were at work in the fields?—A. Yes, sir.

Q. Were they peaceful and undisturbed under our authority?—A. Yes, sir.

Q. Captain, did you make any observation concerning the establishment of a civil government after we would occupy a place, such as Malolos or anything of the kind, or the establishment of schools by the military authorities?—A. I only saw the schools; there was no government except the military government; we had not gotten to the experiment of putting in any of the natives.

Q. I do not mean that; I mean the establishment of civil government under General Otis's orders?—A. Yes, sir.

Q. That is, municipal government?—A. Municipal government; yes.

Q. That was done by the military authorities immediately after occupation?—A. Yes, sir.

Q. And were schools established by the military authorities?—A. Not in all the places.

Q. In some of them?—A. In some of them; yes, sir.

Q. And were they taught by soldiers detailed for that purpose?—A. Yes, sir.

Q. That is, we would occupy a place and establish a municipal government, establish a school and detail a private soldier to teach it?—A. Yes, sir.

By Senator DUBOIS:

Q. You said, in answer to Senator Beveridge, that they had been pacified. Did you think they would stay pacified from what you knew of them?—A. Well, let me enlarge upon that a little. I think that the Tagalo is an unknown quantity; I will admit that; but I think there is a great deal of good in him, and I think when he finds out that he can get the benefit of his labor, he can own land, and that he will not have immense taxes to pay, as he has had in the past, and that he will get what he earns, that he will make a very different man. It reminds me very much of Mexico twenty-five years ago. I do not think the people were any better there until Diaz took hold of them. The Malays

is different from the American Indian just as the Mexican is different, but they remind me very much one of the other, and dense ignorance is the worst thing against them. What enlightenment will bring is the question. I think they have some admirable traits.

Q. You have made a comparison between them and the Mexicans. It is a fact we will have to rule them the same as the Mexicans are ruled?—A. Now, the point is that until they can get to a certain condition I think they ought to have a stronger government. I do not think they are capable of self-government.

Q. Do you think that they ever will be capable of self-government?—A. I believe so; yes.

Senator BEVERIDGE. That is a question of development, I take it?

The WITNESS. That is a question of development, yes; I believe they can be made something of.

By Senator DIETRICH:

Q. The Filipino people in the Philippine Islands, of course, are a different problem from Mexico?—A. Yes.

Q. In Mexico they were practically all one people—that is, they were either natives or mixed with Spaniards, but they had one religion and the whole Mexican people could unite more easily than could all the people of the Philippine Islands; do you think so?—A. Oh, yes; there is no trouble so far as tribal business is concerned in Mexico, and they all speak Spanish; there are no Indians there but what speak Spanish. In the Philippines there is not one man in fifty who can talk Spanish, and there are not 10 per cent of the Filipinos that are educated in any language enough to read and write, and no commercial language, scarcely.

Q. Then, perhaps, if the Tagalos were left entirely to themselves they could have self-government with themselves, say with the Macabebes, say with the Pampangans, and other tribes; but if you would undertake to amalgamate them into one nation do you not think it would be impossible then for them to have self-government by themselves, especially with the Moros there?—A. I think the Tagalos would manage to get the guns, as they did before, and dominate the balance.

By Senator DUBOIS:

Q. Then, you do not see any chance for independent government over there?—A. Not until they learn what government is; they do not know government now, except the government of a heel on a man's neck, or something of that kind.

Q. Then, in your judgment, how are they going to learn?—A. I think England and America are the only two nations that know what government is. If they can not teach them it had better be given up.

Q. Can you even imagine a time, so you can state it—the nearest time—when the Americans could teach them the art of government sufficiently for them to administer a government of their own?—A. I think if you give franchises and open up the country for settlement you would have 500,000 Germans there in ten years; that you would get a good white population there as well as the others, if you will give an opportunity for homes, and if they find American government comfortable to live under, I think within ten years there will be

enough educated Filipinos to take a large share in government, so far as that is concerned.

Q. Under our own direction?—A. Yes; in twenty years anyway.

Senator BEVERIDGE. You think it wise for franchises to be granted and capital to go in there and people employed?

The WITNESS. Yes; I think so. You can run electric lines all over the island of Luzon by water power, and you can spin all the cotton we raise in our cotton fields by water power over there. There is no hardware in the country yet.

By the CHAIRMAN:

Q. What, in your judgment, would be the effect of our leaving the islands to themselves?—A. I don't know what would be the effect. Unless somebody took them up, there is no telling what would come. It would be chaos, that is all.

Q. Chaos unless somebody took possession?—A. Yes; which they would do.

Senator DIETRICH. I suppose it would be hard for them to attempt any form of government until they had been educated, all of them, to some one language?—A. Yes.

Q. And you believe that this Government, then, has been wise in establishing schools to teach English all over those islands?—A. I do most emphatically, because they are more avaricious to learn than any people I ever saw. I know the Tagalo children have come to me, if they could get hold of an English book or pamphlet, and asked me what that meant. They learn English, at least the younger generation. They will be speaking English in ten years.

By Senator BEVERIDGE:

Q. They came to you in this way for instruction while you had your uniform on?—A. Yes.

Q. And you were in active service then?—A. Yes.

(Witness excused.)

(Thereupon, at 11.50 o'clock a. m., the committee adjourned, subject to call of the chairman.)

WASHINGTON, D. C., *May 19, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman, and Senators Allison, Beveridge, McComa, Burrows, Dietrich, Carmack, Culberson, Rawlins, and Patterson.

The CHAIRMAN. I have various communications from the War Department inclosed under date of May 15:

WAR DEPARTMENT,
Washington, May 15, 1902.

SIR: By request of Maj. Gen. R. P. Hughes, United States Army, I transmit herewith a copy of a letter from him to the Adjutant-General of the Army, dated May 8, 1902, together with inclosures, viz:

A copy of a letter from Senator Culberson, dated May 1, 1902, to Capt. Victor H. Bridgman.

A copy of a letter from Captain Bridgman to Senator Culberson, dated May 2, 1902.

copy of the roster of the officers serving in the Department of the Visayas, published March 1, 1901.

list of officers serving in the island of Samar under General Hughes, and noted in the roster of March 1.

Very respectfully,

ELIHU ROOT,
Secretary of War.

SEN. H. C. LODGE,
*Chairman Committee on the Philippines,
United States Senate.*

HEADQUARTERS DEPARTMENT OF CALIFORNIA,
OFFICE OF THE COMMANDING GENERAL,
San Francisco, Cal., May 8, 1902.

H. C. CORBIN, *Washington, D. C.*

DEAR GENERAL: I have received by this morning's mail the inclosed letters, which speak for themselves. Of course I do not understand this ex parte work is instituted, but if this unusual system is to be pursued it is but fair to me that it should not be intrusted to a private person, for while it certainly will not be of consequence in securing evidence such as sought by the inclosed letter, still the crude way in which the work appears to be done will create an undefined and dangerous rumor that can not be effectively controverted.

I earnestly urge, if an investigation is being made into my conduct, that it may not be carelessly conducted, but that it may be gone into with a thoroughness that will insure securing a convincing result.

When there were about 25,000 troops in my command, first and last, and I am certain that no one of them can truthfully assert that I consciously, verbally or in writing, directly or indirectly, by signal, authorized, instructed, or ordered any of them to use the so-called "water cure" in any form or of any character whatever.

However, the inquiry as now being made is to continue in the same manner, it should be pursued until those making it are fully satisfied.

To this end I inclose a roster of the officers now on the army list who served with me, and whose addresses are known in your office,

I would respectfully request that it be transmitted, through the proper channel, to the member of the Philippine committee of the Senate conducting the inquiries, in order to assist him in his undertaking.

Yours, very respectfully,

R. P. HUGHES, *U. S. A.*

UNITED STATES SENATE,
Washington, May 1, 1902.

VICTOR H. BRIDGMAN,
Fort Mifflin, Md.

DEAR SIR: I have been informed that while serving in the Philippines you heard Brig. Gen. R. P. Hughes and probably other general officers give verbal orders to soldiers to administer what is known as "water cure" to Filipinos, and I write to ask if this is true.

Very truly, yours,

C. A. CULBERSON.

204 WEST FAYETTE STREET,
Baltimore, Md., May 2, 1902.

Senator C. A. CULBERSON,
Washington, D. C.

DEAR SENATOR: Replying to your letter of inquiry of May 1, I have to say that I never heard General Hughes or any other general officer, or any officer, regular or volunteer, give any order to administer the "water cure," or any direction which could be construed to that end.

Having frankly answered your question, I ask that the source of your information be furnished me.

Very truly, yours,

V. H. BRIDGMAN, U. S. A.

WAR DEPARTMENT,
Washington, May 16, 1902.

Hon. HENRY C. LODGE,
Chairman Committee on the Philippines,
United States Senate.

SIR: Having reference to my letter of yesterday, I have the honor to inform you that from a further examination of the list of officers serving in the island of Samar under General Hughes, and not included in the roster of March 1, which was an inclosure thereto, it is found that a number of them are now in the United States. A list of such officers is inclosed, the present post-office address of each being given.

Very respectfully,

ELIHU ROOT,
Secretary of War.

List of officers now in the United States, with their post-office address.

TENTH UNITED STATES CAVALRY.

Capt. Robert D. Read, jr., 514 West Jefferson street, Louisville, Ky.; Capt. Carter P. Johnson, Fort Robinson, Nebr.; First Lieut. Thomas A. Roberts, West Point, N. Y.

FIRST UNITED STATES INFANTRY.

Col. Abram A. Harbach, Army and Navy Club, Washington, D. C.; Capt. Nat P. Phister (now major, Second United States Infantry), 309 West Fourth street, Cincinnati, Ohio; Capt. Charles E. Tayman, Media, Pa.; First Lieut. Walter G. Penick, East Berlin, Conn.

NINTH UNITED STATES INFANTRY.

Lieut. Col. Morris C. Foote (now colonel Nineteenth United States Infantry), Fort McDowell, Cal.

Capt. George Palmer, Madison Barracks, N. Y.; Capt. Edwin V. Bookmiller, 21 College street, New Haven, Conn.; Capt. Francis H. Schoeffel, General Hospital, Washington Barracks, D. C.; First Lieut. Frank R. Lang, Portland, Me.; First Lieut. Fred L. Munson (now captain, Twenty-fourth United States Infantry), Highland Park, Ill.

ELEVENTH UNITED STATES INFANTRY.

Maj. James E. Macklin, Indianapolis, Ind.

TWELFTH UNITED STATES INFANTRY.

W. F. Creary, First Lieut. W. H. Oury, Fort Douglas, Utah; First Lieut. all Childs, Fort Bliss, Tex.; First Lieut. D. T. Merrill, First Lieut. F. J. inell, Second Lieut. Robert D. Carter, Second Lieut. Rhees Jackson, Second De Witt C. Lyles, Fort Douglas, Utah.

WAR DEPARTMENT,
Washington, May 16, 1902.

HENRY C. LODGE,
Chairman Committee on the Philippines,
United States Senate.

: Pursuant to the request contained in your letter of the 12th at, I have the honor to hand you herewith copies of all reports have been received at this office, in addition to such as have already sent to your committee, in regard to the establishment of reconnection camps in the Philippine Islands.

Very respectfully,

ELIHU ROOT,
Secretary of War.

[Cablegram.]

ADJUTANT-GENERAL'S OFFICE,
Washington, March 19, 1901.

ARTHUR, Manila:

lished here Major Smith, commanding in Marinduque, has ed all natives to live in five principal towns, and natives continue in country will be considered insurgents. Is there any foundation for statement? Answer as soon as possible.

CORBIN.

[Cablegram.]

MANILA. (Received A. G. O., March 22, 1901.)

TANT-GENERAL, Washington:

port regarding Major Smith, Marinduque, substantially correct. action effective suppressing insurrection there, which past three bs has presented obstinate resistance. Exclusively a military are carried out without objectionable or offensive features and ed end in view. Full report Major Smith next record events.

MACARTHUR.

HEADQUARTERS, ISLAND OF MARINDUQUE, P. I.,
Boac, Marinduque, P. I., March 3, 1901.

TANT-GENERAL DEPARTMENT OF SOUTHERN LUZON,
Manila, P. I.

: I have the honor to submit a report of affairs upon this island e month of February, 1901.

sumed command of this island February 6 and on February 7 l an order requiring all persons, both male and female, living too

far removed to be under immediate military and civil jurisdiction, protection, and observation to move at once to one of the following places, within such limits as would be prescribed by the respective commanding officers, viz, Boac, Gazan, Santa Cruz, Torrijos, Mogpog, and Buena Vista, also stating that all those who did not comply with this order would be considered as acting in sympathy with the insurgent forces and treated accordingly.

This has had the desired effect, and at each of the above places nearly if not quite all the inhabitants have been collected, and a native cordon has been placed outside of the limits, which is charged with preventing any passing in or out without reporting the same to the immediate commanding officer, the object of this being to break up the heretofore rapid means of communication which the insurgents used to keep fully informed of the movements of our troops as well as intercommunication between their own. It has also removed the fears of those who were afraid to come in and created a feeling of confidence in our good intentions, which has shown itself in a revulsion of feeling against the insurrectos and an expressed desire for the cessation of hostilities and a resumption of a peaceful life. Friendly natives have used their influence to try and induce their relatives to come in, and letters from a representative of the Federal party and a prominent citizen of this town have been sent to the chief of the insurrecto forces urging an abandonment of further hostilities and ending the insurrection.

It is the universal opinion that the insurrectos are holding out through doubt and fear of their disposition and treatment if they surrender. My instructions to officers at other posts of the island has been to make no promises, but demand an unconditional surrender with arms. I am informed that the insurrectos are short of food, their cuartels and most of the houses in the interior have been burned, the weather has been rainy and quite cool, making it very uncomfortable for them. An active campaign has been pursued during the month. Five expeditions have been sent out from this post and about an equal number from each of the other stations, of which special reports have been made from time to time. Two engagements of note have occurred one on February 18, with a detachment from Santa Cruz, under First Lieut. L. W. Jordan, jr., First Infantry, consisting of 25 men of Company B, First Infantry, and 27 men of Company I, Second Infantry, at Kay Devilla, about 6 miles south of Santa Cruz, in which our casualties were 1 man killed and 1 wounded. Through native sources information has been received that the insurgent forces had 106 rifles and suffered a loss of 3 killed and 3 wounded; from other information 4 killed and many wounded.

The other engagement on February 22 took place at a point about 8 miles south of Boac and 2 miles north of Gazan, with a detachment of 50 men of Company K, Second Infantry, and 10 men of Company G, Second Infantry, commanded by Capt. H. H. Benham, adjutant Second Infantry, in which our casualties were 2 men wounded.

The strength of the insurgents was estimated at from 60 to 70 rifles and information has been received that 3 were killed and 4 wounded.

Representatives of the Federal party have been actively engaged at the several towns in recruiting for said party, and they inform me that the probable membership is about as follows: Boac, 3,000; Santa Cruz, 3,000; Gazan, 1,563; Mogpog, 945; Torrijos, 400; total, 8,908.

Continued efforts will be made to bring the insurrection to a speedy

ination, and expeditions kept constantly in the field to harass and
down the insurgents until they are forced to surrender.

Very respectfully,

FRED A. SMITH,
Major, First United States Infantry, Commanding.

[Samar Island not included in roster.]

FIRST INFANTRY.

Colonel.—Abram A. Harbach.

Major.—Frank de L. Carrington, Robert N. Getty.

Captains.—George Bell, jr., Elias Chandeler, Nat. P. Phister, Abraham P. Buffing-
Charles E. Tayman, Harold L. Jackson, Francis E. Lacey, jr., William M.
on, William Newman, Melville S. Jarvis, William M. Swaine.

First lieutenants.—Campbell King, Walter G. Penfield, Grosvenor L. Townsend,
ert W. Jordan, Thomas J. Fealy, J. M. Pickering, W. K. McCue, H. H. Teh-
George W. Brandle.

Second lieutenants.—Edwin J. Newlen, Ward Dabney, E. E. Carroll, B. G. Batten-
David A. Lindsay.

NINTH INFANTRY.

Charles F. Robe, Lieut. Col. Morris C. Foote.

Captains.—Robert H. Anderson, George Palmer, Charles R. Noyes, Mark L. Her-
Edwin B. Bookmiller, Francis H. Schoeffel, Hugh D. Wise, T. W. Connell.

First lieutenants.—John B. Schoeffel, Easton R. Gibson, James P. Drouillard,
n C. Kinney, Fred R. Brown, Frank R. Lang, George W. Wallace, F. L. Mun-
Harold Hammond, E. A. Bumpus.

Second lieutenant.—Emery T. Smith.

SEVENTH INFANTRY.

Captains.—William Wallace, Dwight W. Ryther.

First lieutenants.—Curtis W. Otwell, George H. Knox, Benjamin H. Hartsborne, jr.,
ce M. Craigie.

Second lieutenants.—William Karst, John T. Berry, John A. Brockman.

TENTH CAVALRY.

Captains.—Robert D. Read, jr., Carter P. Johnson, Thomas G. Carson, Guy
ton.

First lieutenants.—Thomas A. Roberts, James Huston, F. W. Fonda, J. E. Gaujot,
Iden.

Second lieutenants.—M. B. Bowdish, M. O'Conner, A. S. Perkins, C. A. Stott, E. C.
B. O. Davis.

ELEVENTH INFANTRY.

. Isaac De Russy, Lieut. Col. Albert L. Myer, Maj. James E. Maclin, Maj. John
Peshine.

Captains.—John S. Battle, William Weigel, Frank L. Wells, Milton L. McGrew,
e M. B. Travis, Odon Gurovits, Robert Alexander, Clarence E. Dentler, Richard
hford, Richard R. Steedman.

First lieutenants.—Samuel T. Ansell, Henry E. Eames, Edgar A. Myer, Woodson
er, Edgar A. Macklin.

Second lieutenants.—Joseph C. Kay, John T. Dunn, Charles C. Finch, William C.
Walter C. Jones, Charles H. Errington, J. P. McAdams, Nolan V. Ellis.

TWENTY-SIXTH INFANTRY.

. Arthur Williams.

Captains.—L. Richardson, D. W. Kilburn, M. Baldwin.

First lieutenants.—Allen Parker, W. C. Johnson.

Second lieutenant.—G. S. Gillis.

NINTH CAVALRY.

Maj. Martin B. Hughes.

Captains.—Lester W. Cornish, Charles Young.

First lieutenants.—John S. Fair, James E. Fechet.

Second lieutenant.—Edwin L. Cox.

TWELFTH INFANTRY.

Captains.—W. F. Creary, W. E. Ayer.

First lieutenants.—W. H. Oury, Marshall Childs, D. T. Merrill, F. J. McConnell.

Second lieutenants.—R. D. Carter, Rus Jackson, DeWitt C. Lyles.

Roster of troops serving in the Department of the Visayas, Brig. Gen. R. P. Hughes, U. S. A., commanding.

DEPARTMENT OF THE VISAYAS.

[Bounded on the north by southern limits of Department of Southern Luzon, on the west by longitude 121° 45' east of Greenwich, on the south by the ninth parallel of north latitude, and extending east to include those islands of the Philippine group lying between the north and south lines herein described, but excluding all the island of Mindanao and all islands east of the Straits of Durlago. Comprising islands of Leyte, Cebu, Bohol, Negros, Panay, and littoral adjacent thereto.]

Brig. Gen. R. P. Hughes, U. S. A., commanding. Headquarters, Iloilo, Panay, P. I.

Personal staff.—First Lieut. R. H. Van Deman, Twenty-first United States Infantry, aid-de-camp; First Lieut. William H. Simons, Sixth United States Infantry, aid-de-camp.

Department staff.—Maj. Robert H. Noble, assistant-adjutant general, United States Volunteers, adjutant-general; Capt. Omar Bundy, Sixth United States Infantry, inspector-general; Capt. Edwin F. Glenn, Twenty-fifth United States Infantry, judge-advocate; Capt. George G. Bailey, acting quartermaster, United States Volunteers, chief quartermaster; Capt. Eben B. Fenton, acting commissary of subsistence, United States Volunteers, chief commissary; Maj. Henry S. Turrill, surgeon, United States Army, chief surgeon; Maj. Theodore Sternberg, additional paymaster, United States Volunteers, chief paymaster; First Lieut. R. H. Van Deman, Twenty-first United States Infantry, aid-de-camp, engineer officer; First Lieut. William H. Simons, Sixth United States Infantry, aid-de-camp, ordnance officer; First Lieut. Leonard D. Wildman, signal officer, United States Volunteers, chief signal officer; Capt. Frank C. Prescott, Forty-third Infantry, United States Volunteers, supervisor internal-revenue affairs.

Provost guard, Iloilo.—Capt. Thomas Talbot, Twenty-sixth Infantry, United States Volunteers, provost marshal; Second Lieut. Hilden Olin, Twenty-sixth Infantry, United States Volunteers, adjutant provost guard; Second Lieut. George Garity, Twenty-sixth Infantry, United States Volunteers, quartermaster provost guard.

Company E, Twenty-sixth Infantry, United States Volunteers: Capt. John Hickey, Twenty-sixth Infantry, United States Volunteers; First Lieut. H. G. Crockett, Twenty-sixth Infantry, United States Volunteers; Second Lieut. Hilden Olin, Twenty-sixth Infantry, United States Volunteers.

Company F, Twenty-sixth Infantry, United States Volunteers: Capt. William Tutherly, Twenty-sixth Infantry, United States Volunteers; First Lieut. William Sullivan, Twenty-sixth Infantry, United States Volunteers; Second Lieut. G. R. P. MacGregor, Twenty-sixth Infantry, United States Volunteers, D. S. at Jaro.

Troops in department.—Signal Corps, U. S. A., Company H; Sixth United States Artillery, Light Battery G; Sixth United States Infantry, headquarters and 12 companies; Eighteenth United States Infantry, headquarters and 8 companies; Nineteenth United States Infantry, headquarters and 12 companies; Twenty-sixth Infantry, United States Volunteers, headquarters and 12 companies; Thirty-eighth Infantry, United States Volunteers, headquarters and 12 companies; Forty-third Infantry, United States Volunteers, headquarters and 12 companies; Forty-fourth Infantry, United States Volunteers, headquarters and 12 companies; Leyte Scouts, 4 companies; Cebu Scouts, 2 companies; Negros Scouts, 4 companies; Panay Scouts, 8 companies.

Gunboats in the department.—*Paraqua*, Lieut. Yates Stirling, jr., United States Navy. *Panay*, Lieut. E. L. Bissett, United States Navy.

Present strength of the department.—Officers, 366; enlisted men, 8,851; native scouts, 1,222; aggregate, 10,439.

FIRST DISTRICT.

[Island of Leyte.]

thor Murray, Forty-third Infantry, United States Volunteers, commanding. Headquarters, Tacloban, Island of Leyte.

staff.—Capt. Ernest R. Tilton, adjutant, Forty-third Infantry, United States Volunteers, acting adjutant-general; Capt. William Elliott, quartermaster, Forty-third Infantry, United States Volunteers, chief quartermaster; First Lieut. Edward T. Donnelly, commissary, Forty-third Infantry, United States Volunteers, chief commissary; Maj. Frederick J. Combe, surgeon, United States Volunteers, chief surgeon; First Lieut. W. S. Conrow, Forty-third Infantry, United States Volunteers, acting surgeon; First Lieut. Edward T. Donnelly, commissary, Forty-third Infantry, United States Volunteers, ordnance officer; First Lieut. Charles S. Wallace, signal officer, United States Volunteers, signal officer; Capt. W. L. Goldsborough, Forty-third Infantry, United States Volunteers, internal-revenue officer.

in district.—Forty-third Infantry, United States Volunteers, headquarters and 9 companies; Forty-fourth Infantry, United States Volunteers, 2 companies; Cebu Scouts, 4 companies.

SECOND DISTRICT.

[Islands of Cebu and Bohol.]

Edward J. McClelland, Forty-fourth Infantry, United States Volunteers, commanding. Headquarters, Cebu, Island of Cebu.

staff.—Capt. Frank McIntyre, adjutant, Nineteenth United States Infantry, acting adjutant-general; Capt. Frank R. Curtis, quartermaster, Forty-fourth Infantry, United States Volunteers, chief quartermaster; Capt. Frank B. Watson, acting sergeant, United States Volunteers, chief commissary; Maj. William F. Barry, surgeon, Forty-fourth Infantry, United States Volunteers, chief surgeon; Lt. Michael H. Barry, commissary, Forty-fourth Infantry, United States Volunteers, ordnance officer; First Lieut. William E. Davies, signal officer, United States Volunteers, signal officer; First Lieut. A. H. Martin, Nineteenth United States Infantry, internal-revenue officer.

in district.—Sixth United States Artillery, 1 platoon Light Battery G; Nineteenth United States Infantry, headquarters and 9 companies; Forty-fourth Infantry, United States Volunteers, headquarters and 6 companies; Cebu Scouts, 2 companies.

THIRD DISTRICT.

[Island of Negros.]

W. Miner, Sixth United States Infantry, commanding. Headquarters, Cebu, Island of Negros.

staff.—Capt. Benjamin A. Poore, adjutant, Sixth United States Infantry, acting adjutant-general; Capt. Benjamin W. Atkinson, quartermaster, Sixth United States Infantry, chief quartermaster; First Lieut. S. J. Bayard Schindel, commissary, Sixth United States Infantry, chief commissary; Maj. Richard W. Johnson, surgeon, United States Army, chief surgeon; First Lieut. R. J. Maxey, Sixth United States Infantry, ordnance officer; First Lieut. Alfred T. Clifton, signal officer, United States Volunteers, signal officer and acting engineer officer; First Lieut. R. J. Maxey, Sixth United States Infantry, internal-revenue officer.

in district.—Sixth United States Infantry, headquarters and 9 companies; Cebu Scouts, 4 companies.

FOURTH DISTRICT.

[Island of Panay.]

Samuel Rice, Twenty-sixth Infantry, United States Volunteers, commanding.

staff.—Capt. Harris Pendleton, adjutant, Twenty-sixth Infantry, United States Volunteers, acting adjutant-general; Capt. William F. Meeks, quartermaster, Twenty-sixth Infantry, United States Volunteers, chief quartermaster; First Lieut. Edward S. Walton, commissary, Twenty-sixth Infantry, United States Volunteers, chief commissary; Maj. Charles F. Mason, surgeon, Twenty-sixth Infantry, United States Volunteers, chief surgeon; First Lieut. Edward S. Walton, Eighteenth United States Infantry, engineer officer; First Lieut. Frank E. Edwards, commissary, Twenty-sixth Infantry, United States Volunteers, ordnance officer; Capt. Frank C. Prescott, Twenty-sixth Infantry, United States Volunteers, internal-revenue officer.

Troops in district.—Sixth United States Artillery, 2 platoons Light Battery G; Sixth United States Infantry, 3 companies; Eighteenth United States Infantry, headquarters and 8 companies; Nineteenth United States Infantry, headquarters second battalion and 3 companies; Twenty-sixth Infantry, United States Volunteers, headquarters and 10 companies; Thirty-eighth Infantry, United States Volunteers, headquarters and 12 companies; Forty-fourth Infantry, United States Volunteers, headquarters second battalion and 4 companies; Panay scouts, 8 companies.

Quartermaster's depot—Iloilo.—Capt. A. C. Gillem, assistant quartermaster, depot quartermaster.

Subsistence depot—Iloilo.—Capt. S. B. Bootes, acting commissary subsistence, United States Volunteers, depot commissary.

Medical subsupply depot—Iloilo.—Maj. Ira C. Brown, surgeon, United States Volunteers, in charge.

Military hospital—Iloilo.—Maj. Herbert W. Gardwell, surgeon, United States Volunteers, commanding; First Lieut. E. W. Pinkham, assistant surgeon, United States Army, operating surgeon; Acting Asst. Surg. G. H. Calkins, United States Army, on duty; Acting Asst. Surg. G. K. Sims, United States Army, sick; Acting Asst. Surg. William H. Tukey, United States Army, on duty; Acting Asst. Surg. James B. Hallwood, United States Army, on duty.

Military hospital—Cebu, Cebu.—Maj. H. C. Fisher, surgeon, United States Volunteers, commanding; Acting Asst. Surg. J. J. Reilly, United States Army, on duty; Acting Asst. Surg. J. A. Escobar, United States Army, on duty.

PAYMASTERS.

[Not otherwise reported.]

Maj. William W. Gilbert, paymaster, United States Army, Cebu, Cebu; Maj. Harry L. Rees, paymaster, United States Army, Cebu, Cebu.

Military prison—Iloilo, Panay.—Capt. Thomas Talbot, Twenty-sixth Infantry United States Volunteers, commanding.

Military prison, Cebu, Cebu.—First Lieut. G. W. Helms, Nineteenth United States Infantry, commanding.

MEDICAL OFFICERS.

[Not otherwise reported.]

Maj. W. B. Winn, surgeon, United States Volunteers, supply officer, Cebu, Cebu.
On duty with Sixth United States Infantry.—Acting Asst. Surg. M. H. Bowman, U. S. A., San Carlos, Negros; S. D. Huntington, U. S. A., Bacolod, Negros; W. J. Enders, U. S. A., Binalbagan, Negros; M. A. Probert, U. S. A., Silay, Negros; M. J. Hansen, U. S. A., Manapla, Negros; C. B. Mittelstaedt, U. S. A., Escalante, Negros; J. N. Merrick, U. S. A., Dumaguete, Negros; W. G. Miller, U. S. A., La Carlota, Negros; T. H. Landor, U. S. A., Calivo, Panay.

On duty with Eighteenth United States Infantry.—First Lieut. E. A. Dean, assistant surgeon, U. S. A., Capiz, Panay; Acting Asst. Surg. J. A. O'Neill, U. S. A., Dao, Panay; J. A. Collie, U. S. A., Dumarao, Panay; J. L. Norris, U. S. A., Mambusao, Panay; G. H. Gosman, U. S. A., Sara, Panay; J. D. Brooks, U. S. A., Jaro, Panay.

On duty with Nineteenth United States Infantry.—Acting Asst. Surg. W. P. Baker, U. S. A., Bogo, Cebu; H. M. Cohen, U. S. A., Danao, Cebu; W. A. Christensen, U. S. A., Loay, Bohol; F. T. Koyle, U. S. A., Naga, Cebu; L. B. Porter, U. S. A., Bugason, Panay; J. M. Lowery, U. S. A., Colasi, Panay.

On duty with Twenty-sixth Infantry, United States Volunteers.—Acting Asst. Surg. O. W. Woods, U. S. A., Banate, Panay; L. P. Howell, U. S. A., Barotac Nuevo, Panay; T. B. McCown, U. S. A., Miagao, Panay; W. H. Tefft, U. S. A., Janiway, Panay; O. W. Pinkston, U. S. A., Leon, Panay; P. H. Lyon, U. S. A., Iloilo, Panay.

On duty with Thirty-eighth Infantry, United States Volunteers.—Acting Asst. Surg. G. W. Ely, U. S. A., in field with regiment; G. H. Jones, U. S. A., in field with regiment; J. L. Burkhardt, U. S. A., in field with regiment.

On duty with Forty-third Infantry, United States Volunteers.—Acting Asst. Surg. F. D. Branch, U. S. A., D. S., Manila; E. C. Shattuck, U. S. A., Alangalang, Leyte; J. F. Leeper, U. S. A., Barugo, Leyte; L. A. Thompson, U. S. A., Baybay, Leyte; B. E. Himes, U. S. A., Dagami, Leyte; R. A. Anderson, U. S. A., Dulag, Leyte; W. A. Jones, U. S. A., Palompon, Leyte; E. W. Patterson, U. S. A., Jaro, Leyte; J. D. Yost, U. S. A., Alayog, Leyte.

On duty with Forty-fourth Infantry, United States Volunteers.—Capt. R. S. Woods, assistant surgeon, U. S. A., Dumanjug, Cebu; Acting Asst. Surg. W. K. Beatty, U. S. A., Ormoc, Leyte; F. S. Macy, U. S. A., Hilongas, Leyte; I. J. Ransbottom, U. S. A.,

ria, Cebu; W. J. S. Stewart, U. S. A., Argao, Cebu; P. R. Fletcher, U. S. A., Balam-
Cebu; E. P. Rockhill, U. S. A., Jagna, Bohol; T. C. Walker, U. S. A., Tubigon,
d; W. A. Wickline, U. S. A., Pandan, Panay; S. B. McClure, U. S. A., Tibiao,
y.

CHAPLAINS, UNITED STATES ARMY, WITH RANK OF CAPTAIN.

[Not otherwise reported.]

Chaplain James W. Hillman, U. S. A., with Forty-third Infantry, United States
Volunteers, Tanauan, Leyte; Chaplain Joseph H. Sutherland, U. S. A., with Nine-
teenth United States Infantry, Cebu, Cebu; Chaplain John A. Randolph, U. S. A.,
Sixth United States Infantry, Dumaguete, Negros; Chaplain Barton W. Perry,
A., with Eighteenth United States Infantry, Capiz, Panay.

OFFICERS PERFORMING CIVIL DUTIES.

Collectors of internal revenue.—Supervisor of internal revenue affairs, Department of
Visayas, Capt. Frank C. Prescott, Forty-third Infantry, United States Volunteers,
Panay.

FIRST DISTRICT.

District collector.—First Lieut. W. S. Conrow, Forty-third Infantry, United States
Volunteers, Tacloban, Leyte.

Sub-district collectors.—First Lieut. D. R. Jones, Forty-third Infantry, United States Volun-
teers, Maasin, Leyte; Capt. J. S. Fair, Forty-third Infantry, United States Volun-
teers, Baybay, Leyte; First Lieut. W. S. Conrow, Forty-third Infantry, United
States Volunteers, Tacloban, Leyte.

SECOND DISTRICT.

District collector.—First Lieut. A. H. Martin, Nineteenth United States Infantry,
Cebu.

Sub-district collectors.—Capt. J. K. Wiggins, Forty-fourth Infantry, United States Volun-
teers, Carcar, Sibonga, Cebu; Capt. K. T. Smith, Forty-fourth Infantry, U. S. Volun-
teers, Alegria and Malabuyoc, Cebu; First Lieut. A. H. Martin, Nineteenth United
States Infantry, Cebu and suburbs; First Lieut. C. Stacey, Nineteenth United States
Infantry, Bogo, Remegio, Cebu; First Lieut. S. H. Mould, Forty-fourth Infantry,
United States Volunteers, Dumangué, west coast of Cebu from Alaguinsan to Badian;
First Lieut. N. A. Campbell, Nineteenth United States Infantry, Naga, Mingla-
San Fernando, Cebu; Second Lieut. G. D. Freeman, Nineteenth United States
Infantry, Danao, Carmen, Compostela, Cebu; Second Lieut. J. L. Bond, Nineteenth
United States Infantry, Mandaue, Liloan, Consolacion, Cebu; Second Lieut. L. L.
naa, Forty-fourth Infantry, United States Volunteers, Argao, Delaguete, Alcoy,
; Second Lieut. E. J. Hincken, Forty-fourth Infantry, United States Volun-
teers, west coast of Cebu from Tiburan to Pinamungajan, station Balamban, Cebu;
First Lieut. W. E. Parsons, Forty-fourth Infantry, United States Volunteers, Gini-
San Sebastian, Santander, Sanbuan, Cebu.

BOHOL.

District collector, second district.—First Lieut. F. S. Young, Forty-fourth
Infantry, United States Volunteers, Tagbilaran, Bohol.

Sub-district collectors.—First Lieut. F. S. Young, Forty-fourth Infantry, United States
Volunteers, Tagbilaran, Bohol; Capt. J. L. Anderson, Forty-fourth Infantry, United
States Volunteers, Ubay, Bohol; Second Lieut. J. M. Little, Nineteenth United
States Infantry, Tubigon, Bohol.

THIRD DISTRICT.

District collector.—First Lieut. R. J. Maxey, Sixth United States Infantry, Bacolod,
Negros.

Sub-district collectors.—First Lieut. J. Robertson, Sixth United States Infantry, Duma-
guete, Negros; First Lieut. R. J. Maxey, Sixth United States Infantry, Bacolod,
Negros; First Lieut. D. B. Mulliken, Sixth United States Infantry, Danao, Escalante;
; Second Lieut. S. S. Burbank, Sixth United States Infantry, La Carlota,
Negros; Second Lieut. H. G. Young, Sixth United States Infantry, Silay,
Negros.

FOURTH DISTRICT.

District collector.—Capt. F. C. Prescott, Forty-third Infantry, United States Volunteers, Iloilo, Panay.

Local collectors.—Capt. F. C. Prescott, Forty-third Infantry, United States Volunteers, Iloilo, Molo, Jaro, Mandurriao, Panay, Guimaras; Capt. J. E. Morris, Tenth Infantry, United States Volunteers, Pototan, Mina, Lucena, Panay; Lieut. W. E. Gleason, Sixth United States Infantry, Calivo, Panay; First Lieut. McBroom, Eighteenth United States Infantry, Mambusao, Panay; First Lieut. O. E. Hunt, Eighteenth Infantry, Dumarao, Panay; First Lieut. E. S. W. Eighteenth United States Infantry, Sara, San Dionisio, Lemery, Panay; Lieut. B. H. Wells, Eighteenth United States Infantry, Capiz, Panay; First Lieut. G. D. Rice, Twenty-sixth Infantry, United States Volunteers, Oton, Tigay, Arevalo, Panay; First Lieut. D. J. Moynihan, Twenty-sixth Infantry, United States Volunteers, Leon, Alimodian, Cordova, San Miguel, Panay; First Lieut. V. Plummer, Twenty-sixth Infantry, United States Volunteers, Miagao, San Joaquin, Guimbal, Igaras, Tubungan, Panay; First Lieut. J. L. Kraemer, Thirty-fourth Infantry, United States Volunteers, Santa Barbara, Pavia, Panay; First Lieut. Hall, Forty-fourth Infantry, United States Volunteers, Ibaday, Panay; Second Lieut. G. I. Feeter, Nineteenth United States Infantry, Colasi, Panay; Second Lieut. Hunt, Nineteenth United States Infantry, San Jose de Buenavista, Egana, Anasibalom, San Pedro, Panay; Second Lieut. R. B. Calvert, Eighteenth United States Infantry, Dao, Panay; Second Lieut. C. K. La Motte, Eighteenth United States Infantry, Pontevedra, Panay; Second Lieut. R. B. Ellis, Thirty-eighth Infantry, United States Volunteers, Banate, Anilao, Barotac, Viejo, Panay; Second Lieut. B. Baker, Eighteenth United States Infantry, Cabatuan, Maasin, Janiway, Panay.

INSPECTOR OF CUSTOMS.

First district.—Capt. J. S. Fair, Forty-third Infantry, United States Volunteers, Ibaday, Leyte; Capt. L. E. Hanson, Forty-third Infantry, United States Volunteers, Carigara, Leyte; First Lieut. W. S. Conrow, Forty-third Infantry, United States Volunteers, Tacloban, Leyte; First Lieut. D. R. Jones, Forty-third Infantry, United States Volunteers, Maasin, Leyte; Second Lieut. Louis B. Chandler, Forty-third Infantry, United States Volunteers, Palompon, Leyte; Second Lieut. W. A. Haycraft, Forty-fourth Infantry, United States Volunteers, Ormoc, Leyte.

Second district.—Capt. A. S. Crossfield, Forty-fourth Infantry, United States Volunteers, Cebu, Cebu; Capt. J. L. Anderson, Forty-fourth Infantry, United States Volunteers, Ubay, Bohol; Capt. J. K. Wiggins, Forty-fourth Infantry, United States Volunteers, Sibonga, Cebu; First Lieut. C. Stacey, Nineteenth United States Infantry, Bogo, Cebu; First Lieut. F. S. Young, Forty-fourth Infantry, United States Volunteers, Tagbilaran, Bohol; First Lieut. S. H. Mould, Forty-fourth Infantry, United States Volunteers, Dumanjug, Cebu; Second Lieut. J. M. Little, Nineteenth United States Infantry, Tubigon, Bohol; Second Lieut. R. H. Sutherland, Forty-fourth Infantry, United States Volunteers, Jagna, Bohol; Second Lieut. L. L. Thomas, Forty-fourth Infantry, United States Volunteers, Argao, Cebu.

Third district.—First Lieut. R. J. Maxey, Sixth United States Infantry, Bacabnegros; First Lieut. J. Robertson, Sixth United States Infantry, Dumaguete, Negros; Second Lieut. H. G. Young, Sixth United States Infantry, Silay, Negros.

Fourth district.—First Lieut. B. H. Wells, Eighteenth United States Infantry, Cebu, Panay; Second Lieut. W. E. Hunt, Nineteenth United States Infantry, San Jose de Buenavista, Panay; Second Lieut. R. W. Jones, Forty-fourth Infantry, United States Volunteers, Ibaday, Panay.

PROVOST COURTS.

First district.—Capt. L. E. Hanson, Forty-third Infantry, United States Volunteers, Carigara, Leyte; Capt. L. E. Polk, Forty-third Infantry, United States Volunteers, Tacloban, Leyte; Capt. J. S. Fair, Forty-third Infantry, United States Volunteers, Baybay, Leyte; Capt. J. Cooke, Forty-third Infantry, United States Volunteers, Palompon, Leyte; Capt. M. J. Spellman, Forty-third Infantry, United States Volunteers, Maasin, Leyte; Capt. H. M. Dey, Forty-third Infantry, United States Volunteers, Barugo, Leyte; Capt. W. B. Preston, Forty-third Infantry, United States Volunteers, Tacloban, Leyte; Capt. G. O. Duncan, Forty-third Infantry, United States Volunteers, Abuyog, Leyte; Capt. W. R. Beavers, Forty-third Infantry, United States Volunteers, Tanauan, Leyte; First Lieut. J. W. Dutton, Forty-third Infantry, United States Volunteers, Dagami, Leyte; First Lieut. M. L. Avery, Forty-third Infantry, United States Volunteers, Dulay, Leyte; First Lieut. R. W. Buchanan, Forty-third Infantry, United States Volunteers, Ormoc, Leyte.

district.—Capt. T. G. Hanson, Nineteenth United States Infantry, Cebu, Capt. G. D. Lee, Forty-fourth Infantry, United States Volunteers, (Sup.), n, Bohol; Capt. C. L. Furbush, assistant surgeon, Forty-fourth Infantry, United States Volunteers, Tagbilaran, Bohol.

district.—First Lieut. R. J. Maxey, Sixth United States Infantry, Bacolod,

district.—Capt. M. McFarland, Eighteenth United States Infantry, Sara, Capt. F. H. French, Nineteenth United States Infantry, Bugason, Panay; Burkhardt, Nineteenth United States Infantry, Colasi, Panay; Capt. G. O. , Twenty-sixth Infantry, United States Volunteers, Jaro, Panay; Capt. W. ell, Twenty-sixth Infantry, United States Volunteers, Cabatuan, Panay; McDonald, Twenty-sixth Infantry, United States Volunteers, Miagao, Panay; Greig, jr., Twenty-sixth Infantry, United States Volunteers, Leon, Panay; omas Leonard, Forty-fourth Infantry, United States Volunteers, Ibajay, Capt. M. C. Raysor, Forty-fourth Infantry, United States Volunteers, Pandan, First Lieut. D. N. Ryther, Sixth United States Infantry, Calivo, Panay; First T. Hartmann, Nineteenth United States Infantry, San Jose de Buenavista, First Lieut. J. P. Clare, Twenty-sixth Infantry, United States Volunteers, Panay.

Signal Corps, United States Army.

ny and station.	Officers.	Remarks.
I, Iloilo, Panay...	First Lieut. L. D. Wildman.	Chief signal officer, Department of Vi-
	First Lieut. C. S. Wallace...	Signal officer, first district.
	First Lieut. V. Shepherd ...	Iloilo, Panay.
	First Lieut. W. E. Davies...	Signal officer, second district.
	First Lieut. A. T. Clifton ...	Signal officer, third district.

Sixth United States Artillery.

[Arrived in Philippines August 21, 1898.]

y and station.	Officers.	Remarks.
ryG. Iloilo, Panay, Cebu.	Capt. C. W. Foster.....	Commanding battery.
	First Lieut. E. D'A. Pearce..	Sick in United States.
	First Lieut. H. G. Bishop....	With battery.
	Second Lieut. Wright Smith.	Do.

Sixth United States Infantry.

[Arrived in Philippines June 19, 1899.]

ces and stations.	Officers.	Remarks.
ers field staff Bacolod, Negros.	Col. C. W. Miner.....	Commanding regiment and third district.
	Lieut. Col. J. M. Lee.....	D. S., Fort Leavenworth, Kans.
	Maj. W. W. McCommon....	R. S., United States.
	Maj. R. H. R. Loughbor- ough	Commanding Fort Bliss, Tex.
	Maj. Thomas McCaleb.....	D. S., United States.
	Capt. B. A. Poore.....	Adjutant, adjutant-general third district.
	Capt. B. W. Atkinson.....	Quartermaster, chief quartermaster third district, commanding Third Battalion.
	First Lieut. S. J. Bayard Schindel.	Commissary, chief commissary third district.
	First Lieut. W. E. Gleason..	Adjutant First Battalion, Calivo, Panay.
	First Lieut. H. V. Evans....	Adjutant Second Battalion, Escalante, Negros, commanding Company H.
	First Lieut. R. J. Maxey....	Adjutant Third Battalion, Bacolod, Negros.
Calivo, Panay..	Capt. E. F. Taggart	Major Twenty-eighth Infantry, United States Volunteers.
	First Lieut. D. W. Ryther...	Commanding company.
	Second Lieut. D. C. Ander- son.	With company.

Sixth United States Infantry—Continued.

Companies and stations.	Officers.	Remarks.
Company B; Bacolod, Negros	Capt. R. B. Turner..... First Lieut. C. B. Clark..... Second Lieut. S. S. Burbank.	D. S., commanding Columbus Barr Ohio. With company. Commanding Detachment D, 1st Negros.
Company C; Calivo, Panay ..	Capt. E. T. Cole..... First Lieut. F. C. Bolles Second Lieut. H. A. Hanli- gan.	Major Forty-fifth Infantry, United S Volunteers. Commanding company. Commanding Company I.
Company D; Binalbagan, Negros.	Capt. Z. W. Torrey..... First Lieut. O. Edwards..... Second Lieut. E. G. Peyton.	R. S., United States. Aid-de-camp to General Smith, Man Commanding Company B.
Company E; Escalante, Ne- gros.	Capt. W. L. Simpson First Lieut. D. B. Mulliken.. Second Lieut. E. M. Norton.	Sick in United States. Commanding company. Commanding Company D, Negros & Dumaguete, Negros.
Company F; Dumaguete, Ne- gros.	Capt. C. Byrne First Lieut. W. H. Simons... First Lieut. F. S. Bowen	Commanding Second Battalion, D Negros. Aid-de-camp to Gen. Hughes, Iloilo. D. S., San Carlos.
Company G; Dumaguete, Ne- gros.	Capt. O. Bundy First Lieut. J. Robertson.... (Vacancy).	Inspector-General Department of Va Commanding company.
Company H; La Carlota, Ne- gros.	Capt. B. A. Byrne First Lieut. J. B. Kemper ... Second Lieut. H. G. Young..	Lieutenant-Colonel Fortieth Inf United States Volunteers, comman La Carlota subdistrict of Negros
Company I; in field in Panay	Capt. L. W. V. Kennon First Lieut. M. L. Crimmins. Second Lieut. G. S. Rich- ards, jr.	Commanding Company D. D. S., Escalante, Negros. Colonel Thirty-fourth Infantry, U States Volunteers. Sick in United States.
Company K; Calivo, Panay..	Capt. C. G. Morton First Lieut. W. F. Nesbitt ... (Vacancy).	Commanding First Battalion, Ca Panay. Commanding company.
Company L; Bugason, Panay	Capt. W. K. Jones First Lieut. C. N. Purdy..... Second Lieut. H. K. Taylor..	Quartermaster and commissary U. S. A transport <i>Indiana</i> . Commanding company. With company.
Company M; Manapla, Ne- gros.	Capt. J. H. Beacom..... First Lieut. J. V. Heidt..... Second Lieut. F. A. Awt.....	Lieutenant-Colonel Forty-second Inf try, United States Volunteers. Commanding company. With Company K.
Attached	Capt. H. J. Hunt	Seventeenth United States Infantry. in United States.

Eighteenth United States Infantry.

[Arrived in Philippines July 17 and 31, and November 25, 1898.]

Companies and stations.	Officers.	Remarks.
Headquarters, field, staff, and band, Sara, Panay.	Col. J. M. J. Sanno..... Lieut. Col. J. T. Kirkman.. Maj. H. H. Adams..... Maj. W. B. Wheeler..... Maj. G. B. Walker..... Capt. M. McFarland..... Capt. G. W. Martin..... First Lieut. B. H. Wells.... First Lieut. E. S. Walton.... First Lieut. W. F. Grote....	Sick in United States. En route to join. Commanding depot battalion, San F cisco, Cal. R. S., United States. Sick in United States. Adjutant. Quartermaster. Commissary. Adjutant Second Battalion, Sara Pa Adjutant Third Battalion, Capt. 32 Duty with depot battalion, San Fran Cal.
Company E; Sara, Panay	Capt. J. M. Arrasmith..... First Lieut. T. F. Dwyer... Second Lieut. C. K. La Motte	D. S., with Fifteenth United States Infantry. Commanding detachment Water Panay
Company F; Panitan, Panay.	Capt. P. Murray..... First Lieut. F. D. Wickham.. (Vacancy)	Commanding company. With company.

Eighteenth United States Infantry—Continued.

panies and stations.	Officers.	Remarks.
ny G: Sara, Panay....	Capt. W. H. Gordon	Commanding mounted detachment, Jaro, Panay.
	First Lieut. P. Whitworth..	Captain and acting quartermaster, United States Volunteers, Manila.
	Second Lieut. F. W. Ball....	Commanding company.
ny H: Maasin, Panay .	Capt. E. L. Butts	Do.
	First Lieut. B. Conrad	Commanding Company E.
	Second Lieut. W. B. Baker..	With company.
ny I: Mamburao, Pa-	Capt. Chas. McClure	D. S., Washington, D. C.
	First Lieut. W. S. McBroom.	Commanding company.
	(Vacancy).	
ny K: Dao, Panay	Capt. T. W. Griffith	Commanding regiment.
	First Lieut. A. L. Conger....	With mounted detachment, Jaro, Panay.
	(Vacancy).	
ny L: Dumarao, Panay	Capt. E. E. Hatch	Commanding Second Battalion, Sara, Panay.
	First Lieut. O. E. Hunt.....	Commanding company.
	Second Lieut. D. Potts.....	Aid-de-camp to Gen. Barry, Manila.
ny M: Capiz, Panay ..	Capt. D. C. Shanks	Commanding Third Battalion, Capiz Panay, commanding company.
	First Lieut. D. E. W. Lyle ...	Captain Thirty-seventh Infantry, United States Volunteers.
	Second Lieut. W. M. Kistler.	With company.
ned	Second Lieut. H. C. Merriam	With Company M, Capiz, Panay.
	Second Lieut. O. F. Snyder..	Commanding detachment G, Nabalas, Guimaras.
	Second Lieut. C. Abel.....	D. S., San Francisco, Cal.
nd	First Lieut. C. D. Herron,	Sick in quarters, Dao, Panay.
	Twenty-first United States Infantry.	
	First Lieut. R. B. Calvert,	Commanding Company K, Dao, Panay.
	Twenty-fourth United States Infantry.	

Nineteenth United States Infantry.

[Arrived in Philippines—August 21 and 24, 1899.]

panies and stations.	Officers.	Remarks.
arters, field, staff, and Cebu, Cebu.	Col. S. Snyder	D. S., in United States.
	Lt. Col. J. Miller.....	Commanding regiment.
	Maj. J. G. Leele	With regiment.
	Maj. J. F. Huston.....	Commanding Second Battalion, San Jose Panay.
	Maj. T. C. Woodbury.....	Commanding Third Battalion, Tagbilaran, Bohol.
	Capt. F. McIntyre	Adjutant, assistant adjutant-general, second district.
	First Lieut. A. H. Martin...	Commissary adjutant First Battalion, acting regimental adjutant.
	First Lieut. E. T. Hartmann.	Adjutant Second Battalion, San Jose, Panay.
	First Lieut. J. H. Bradford, jr.	Post adjutant, Cebu, Cebu.
ny A: San Jose de avista, Panay.	Capt. E. E. Johnson, jr....	Major Twenty-ninth Infantry, United States Volunteers.
	First Lieut. E. Croft	Commanding mounted detachment, Bugason, Panay.
	Second Lieut. G. E. Stewart.	D. S., Manila.
ny B: Danao, Cebu ...	Capt. E. P. Lawton	Commanding company.
	First Lieut. J. Ronayne....	R. S., United States.
	Second Lieut. G. D. Freeman jr.	With company.
ny C: Miagao, Panay .	Capt. S. Burkhardt, jr....	Commanding company.
	First Lieut. J. M. Graham..	D. S., Iloilo, assistant to chief quartermaster.
	Second Lieut. W. E. Hunt..	D. S., San Jose, Panay.
ny D: Cebu, Cebu	Capt. E. T. Winston	Sick in United States.
	First Lieut. W. C. Valentine	Do.
	Second Lieut. L. L. Roach..	Commanding company.
ny E: Bugason, Panay .	Capt. F. H. French.....	Commanding company.
	First Lieut. F. B. Shaw....	Commanding Company A.
	Second Lieut. G. I. Feeter..	With company.
ny F: Cebu, Cebu	Capt. W. P. Evans.....	Commanding First Battalion Naga, Cebu.

Nineteenth United States Infantry—Continued.

Companies and stations.	Officers.	Remarks.
Company F, Cebu, Cebu.....	First Lieut. G. W. Helms...	Commanding company and detach Light Battery G, Sixth Artillery.
Company G, Naga, Cebu.....	Second Lieut. J. S. Cecil.... Capt. T. O. Murphy First Lieut. J. Howard	With company. D. S., with Tenth Infantry. Major Forty-eighth Infantry, U States Volunteers.
Company H, San Nicolas, Cebu.	Second Lieut. N. A. Camp- bell. Capt. T. G. Hanson..... First Lieut. J. W. French... Second Lieut. G. A. Hadsell..	With company. Sick in Manila. Commanding company. Commanding detachment H, El Pa Cebu.
Company I, Bogo, Cebu	Capt. A. S. Rowan..... First Lieut. C. Stacey..... Second Lieut. J. L. Bond...	Commanding Company. With company. Commanding Company K.
Company K, Loay, Bohol....	Capt. C. C. Hewitt..... First Lieut. W. W. Fiscus, jr.. Second Lieut. W. O. Wright, jr.	A. W. L., until further orders. Duty U. S. M. A., West Point, N. Y. Enroute to United States.
Company L, Tubigon, Bohol.	Capt. H. L. Roberts..... First Lieut. H. F. Dalton... Second Lieut. J. M. Little..	Commanding company. D. S., Manila. With company.
Company M, Guadalupe Cebu.	Capt. C. R. Tyler..... First Lieut. F. G. Lawton... Second Lieut. G. H. Allen..	En route to join. Commanding company. With company.
Unassigned	Capt. A. B. Foster..... First Lieut. F. B. Watson...	Sick in United States. Captain and assistant commissary of as sistance, United States Volunteer chief commissary 2d district.
Attached	First Lieut. I. L. Hunt, Fifth United States In- fantry.	Commanding Company G.

Twenty-sixth Infantry, United States Volunteers.

[Arrived in the Philippines—October 24, 1899.]

Companies and stations.	Officers.	Remarks.
Headquarters, field, staff, and band; Jaro, Panay.	Col. E. Rice..... Lt. Col. J. T. Dickman..... Maj. E. D. Anderson..... Maj. F. A. Cook	Commanding fourth district, D. V. D. S., Manila. Commanding regiment. Commanding Third Battalion, Man Panay.
	Maj. G. V. Henry, jr..... Maj. C. F. Mason..... Capt. F. A. Washburn, jr... First Lieut. R. S. Griswold.. Capt. H. Pendleton.....	Commanding First Battalion, Pan Panay. Surgeon, chief surgeon, fourth distri Assistant surgeon. Do. Adjutant, acting adjutant-general 3d district.
	Capt. W. F. Meeks..... First Lieut. F. E. Edwards.. First Lieut. D. Elliott..... First Lieut. S. Avery, jr....	Quartermaster, chief quartermaster 4d district. Commissary, chief commissary 4d district. D. S., Manila, adjutant First Battalio Adjutant Second Battalion, acti mental adjutant.
Company A: Jaro, Panay	First Lieut. J. R. Goodale... Capt. G. O. Hubbard	Adjutant Third Battalion, D. S. 1st Commanding company.
Company B, Pototan, Panay .	First Lieut. D. J. Moynihan. Second Lieut. J. H. Byerly . Capt. F. H. Peck..... First Lieut. J. P. Clare..... Second Lieut. T. M. Cough- lan.	With Company I. Sick in United States. Commanding company. With company. Do.
Company C: Pototan, Panay .	Capt. A. A. Barker..... First Lieut. H. M. Fales.... Second Lieut. E. C. Pierce..	Commanding Second Battalion, C Panay. Commanding company Commanding Zarraga and L. 222
Company D: Banate, Panay .	Capt. C. M. Brownell..... First Lieut. A. M. Mason... Second Lieut. S. E. Worth- ington.	Commanding company Quartermaster, Pleguesuelo With company.

Twenty-sixth Infantry United States Volunteers—Continued.

Places and stations.	Officers.	Remarks.
E, Iloilo, Panay. guard.)	Capt. J. Hickey..... First Lieut. H. G. Crockett.. Second Lieut. H. Olin.....	Commanding company. With company. Adjutant provost guard, Iloilo, Panay.
F, Iloilo, Panay. guard.)	Capt. W. Tutherly..... First Lieut. W. Sullivan.... Second Lieut. G. R. D. Mac- Gregor.	Commanding company. With company. D. S., Jaro.
G, Januay, Panay..	Capt. J. Bordman	D. S. Manila.
	First Lieut. A. Hasbrouck ..	Commanding company.
	Second Lieut. G. Ball	D. S. Cabatuan.
H, Cabatuan, Pa-	Capt. W. M. Connell.....	Commanding company.
	First Lieut. G. R. For- tesque.	A. W. L.
	Second Lieut. H. B. Grant..	Acting adjutant, second battalion, Caba- tuan, Panay.
I, Leon, Panay	Capt. A. Greig, jr.....	Commanding company and first battalion
	First Lieut. G. D. Rice	Panay Scouts.
	Second Lieut. G. Garity....	Commanding detachment, Tigbauan, Panay.
		Quartermaster provost guard, Iloilo, Panay.
K, Santa Barbara,	Capt. T. Talbot.....	Provost marshal, Iloilo, Panay.
	First Lieut. P. S. Golderman..	Commanding company.
	Second Lieut. R. H. Sillman..	D. S., Jaro, Panay.
L, Barotac, Nuevo,	Capt. R. A. Whipple.....	Commanding company.
	First Lieut. H. E. Comstock..	With company.
	Second Lieut. E. A. Jeunet..	Acting adjutant first battalion, Pototan, Panay.
M, Miagao, Panay..	Capt. F. McDonald.....	Commanding company.
	First Lieut. W. H. Plummer..	With company.
	Second Lieut. J. T. Ryan ...	Do.

Thirty-eighth Infantry, United States Volunteers.

[Arrived in Philippines, December 27 and 31, 1899.]

Places and stations.	Officers.	Remarks.
N, ers. field. staff, I, Iloilo, Panay.	Col. G. S. Anderson	Commanding regiment.
	Lt. Col. C. J. Crane.....	With regiment.
	Maj. C. H. Muir.....	Commanding First Battalion, Pasi, Panay.
	Maj. W. A. Holbrook.....	Commanding Second Battalion, San José Panay.
	Maj. L. E. Gaudier.....	Commanding Third Battalion, Pototan, Panay.
	Maj. J. D. Glennan.....	Surgeon.
	Capt. F. S. Dewey.....	Assistant surgeon, absent in United States.
	First Lieut. G. L. Hicks....	Assistant surgeon.
	Capt. B. A. Read.....	Adjutant.
	Capt. W. G. Fleischhauer...	Quartermaster, D. S., Iloilo, Panay.
	First Lieut. I. I. Morrison ..	Commissary.
	First Lieut. F. A. Thompson..	Adjutant First Battalion, D. S., Lambu- nao, Panay.
	First Lieut. W. A. Covington..	Adjutant Second Battalion.
	First Lieut. D. H. Jacobs....	Adjutant Third Battalion.
O, Pasi, Panay ...	Capt. W. H. Collier.....	Commanding Company.
	First Lieut. J. L. Kraemer ..	With company.
	Second Lieut. J. R. Maxwell..	Do.
P, Calinog, Panay.	Capt. R. A. Nichols	Commanding company.
	First Lieut. A. J. Brown, Jr..	With company.
	(Vacancy)	
Q, Pasi, Panay....	Capt. J. S. Powell.....	Commanding company.
	First Lieut. R. D. Blanchard..	D. S., Batangas, Luzon.
	Second Lieut. W. C. Hudson..	Commanding mounted detachment, Cali- nog, Panay.
R, Pasi, Panay....	Capt. J. L. Jordan.....	Commanding company.
	First Lieut. R. F. Woods	With company.
	(Vacancy)	

Thirty-eighth Infantry, United States Volunteers—Continued.

Companies and stations.	Officers.	Remarks.
Company E; Pandan, Panay.	Capt. C. E. Sawyer	Commanding company.
	(Vacancy.)	
Company F; Sibalom, Panay.	Second Lieut. S. G. Shartle..	With company.
	Capt. N. P. Pavey	D. S., Q. M. and Comsy., Francisco Re
	First Lieut. F. Krebs.....	Commanding company.
	Second Lieut. W. O. Thorn-	With company.
	ton.	
Company G; Dao (Antique	Capt. R. M. Nolan.....	Commanding company.
province) Panay.	First Lieut. H. V. Stevens...	Commanding mtd. det.
	Second Lieut. C. J. Wein-	En route to United States for discha
	heimer.	
Company H; San José, Panay.	Capt. J. W. Moore.....	Commanding company.
	First Lieut. A. B. Kelley	With company.
	Second Lieut. F. Bury	Under orders to United States for
		charge.
Company I; Banate, Panay..	Capt. D. F. Allen.....	Commanding company.
	(Vacancy.)	
	Second Lieut. R. B. Ellis....	With company.
Company K; Lambunao, Pa-	First Lieut. D. R. Johnson ..	Commanding company.
nay.	Second Lieut. A. J. Woude..	With company.
Company L; Barotac Nuevo,	Capt. J. E. Weber	Commanding company.
Panay.	First Lieut. L. D. Howard...	D. S., Manila.
	Second Lieut. F. C. Husman.	With company.
Company M; Pototan, Pa-	Capt. C. L. Grinstead.....	Commanding company.
nay.	First Lieut. T. B. Seigle.....	En route to United States for discha
	Second Lieut. D. G. Mendel.	With company.
Unassigned	Capt. J. E. Morris	D. S., Santa Barbara, Panay.
	First Lieut. W. G. Doane....	D. S., Manila.
	First Lieut. E. G. Abbott....	Commanding mtd. det., Passi, Panay.

Forty-third Infantry, United States Volunteers.

[Arrived in Philippines—December 19 and 31, 1898.]

Companies and stations.	Officers.	Remarks.
Headquarters, field, staff,	Col. A. Murray	Commanding Regiment and First
and band.	Lt. Col. W. E. Wilder	district.
	Maj. H. T. Allen	Superintendent of Police, Manila.
	Maj. L. C. Andrews	Commanding First and Second Battal
	Maj. J. C. Gilmore.....	Tanauan, Leyte.
	Maj. H. D. Snyder.....	Quartermaster and Commissary U. S.
	Capt. D. W. Welch	T., Port Albert.
	First Lieut. L. B. Sandall ...	Commanding Second Battalion, Bayb
	Capt. E. R. Tilton.	Leyte.
	Capt. W. Elliott	Surgeon.
	First Lieut. E. T. Donnelly..	Assistant surgeon.
	First Lieut. R. LeMasurier..	Do.
	First Lieut. C. M. Seaman...	Adjutant. Adjutant-General First
	First Lieut. H. S. Swann	district.
Company A; Tanauan, Leyte.	Capt. W. R. Beavers.....	Quartermaster. Chief Quartermaster
	First Lieut. H. A. Thayer ...	district.
	Second Lieut. J. L. Elmer...	Commissary. Chief Commissary
Company B; Carigara, Leyte.	Capt. L. E. Hanson.....	Ordinance Officer, First district.
	First Lieut. W. H. Burt....	Adjutant First Battalion, Tach
	Second Lieut. C. C. Estes...	Leyte.
Company C; Dagami, Leyte.	Capt. W. L. Goldsborough ..	Adjutant Second Battalion Bay
	First Lieut. J. W. Dutton ...	Leyte.
	Second Lieut. G. Johnston ..	Adjutant Third Battalion, Tan
Company D; Tacloban, Leyte.	Capt. L. E. Polk	Leyte.
	First Lieut. R. Sterrett	Commanding company.
	Second Lieut. J. N. Truden..	Commanding Company D, Leyte
Company E; Baybay, Leyte.	Capt. J. S. Fair	Sick in United States.
	First Lieut. W. S. Price	Commanding company.
	Second Lieut. W. M. Lind...	S. D., Tacloban.
	say.	Commanding company.
		D. S., Tacloban.
		Commanding Company D, Leyte

Forty-third Infantry, United States Volunteers—Continued.

places and stations.	Officers.	Remarks.
F: Palompon, Leyte	Capt. J. Cooke First Lieut. A. E. Phillips.... Second Lieut. L. B. Chandler.	Commanding company. Commanding detachments B and H, Jaro, Leyte. With company.
G: Maasin, Leyte..	Capt. M. J. Spellman..... First Lieut. D. R. Jones Second Lieut. F. W. Mills, jr.	Commanding company. With company. D. S. at Baybaya, Leyte.
H: Barugo, Leyte..	Capt. H. M. Dey..... First Lieut. J. T. Sweeney.... Second Lieut. W. H. Wilson.	Commanding company. D. S. at Jaro, Leyte. With company, commanding Company B, Leyte Scouts.
I, Tacloban, Leyte.	Capt. W. B. Preston First Lieut. M. E. Morris....	Commanding company. Commanding detachments A and D at Palo, Leyte.
K: Dulag, Leyte...	(Vacancy.) Capt. H. J. Stewart..... First Lieut. M. L. Avery Second Lieut. L. L. Leaf	Commanding company. With company. Sick at Tacloban (wounded).
L: Tanauan, Leyte.	Capt. F. C. Prescott..... First Lieut. W. S. Conrow... Second Lieut. G. E. Steele...	D. S., Iloilo, Panay. D. S., Tacloban. D. S., Abuyog, Leyte.
M: Abuyog, Leyte.	Capt. G. O. Duncan..... First Lieut. L. D. Gasser..... Second Lieut. C. F. Andrews. Chaplain J. W. Hillman	Commanding company. Commanding companies A and C, Leyte Scouts, Dulag. With company. Tanauan, Leyte.

Forty-fourth Infantry, United States Volunteers.

[Arrived in the Philippines December 19, 1899.]

places and stations.	Officers.	Remarks.
quarters field, staff, and Cebu, Cebu.	Col. E. J. McClelland..... Lieut. Col. W. S. Scott..... Maj. Harry C. Hale..... Maj. C. C. Walcutt, jr..... Maj. Henry B. McCoy..... Maj. W. F. Lippitt, jr..... Capt. C. L. Furbush..... First Lieut. T. T. Jackson.. Capt. E. A. Stuart..... Capt. F. R. Curtis..... First Lieut. M. H. Barry.... First Lieut. F. S. Young.... First Lieut. F. L. Wilson.... First Lieut. S. H. Mould....	Commanding Regt. and Second District D. V. Commanding Second Battalion, Tiblao, Panay. En route to Manila for D. S. D. S. Manila. Commanding Third Battalion, Dumanjug, Cebu. Surgeon, chief surgeon, Second District. Assistant surgeon. Do. Adjutant. Quartermaster, chief quartermaster Second District. Commissary, Provost Marshal, Cebu, ordnance officer Second District. Adjutant First Battalion, Tagbilaran, Bohol. Adjutant Second Battalion, Tiblao, Panay. Adjutant Third Battalion, Dumanjug, Cebu.
A, Matalom, Leyte.	Capt. J. L. Ketcham, jr..... First Lieut. F. E. Lynch.... Second Lieut. W. A. Haycraft	D. S., Cebu. Commanding company. Attached to company D for duty.
B, Tagbilaran, Bohol	Capt. G. D. Lee..... First Lieut. H. L. Evans.... Second Lieut. L. H. Cook..	Commanding company. With company. D. S. Cebu, Cebu.
C, Jagua, Bohol...	Capt. J. L. Anderson..... First Lieut. T. Levack..... Second Lieut. R. H. Sutherland.	Commanding company. En route to United States for discharge. With company.
D, Ormoc, Leyte...	Capt. S. C. Samuels..... First Lieut. R. W. Buchanan Second Lieut. W. E. Van Houten.	In arrest since October 5, 1900. Commanding company. Attached to Company A for duty.
E, Tiblao, Panay...	Capt. F. V. N. Bissell..... First Lieut. B. R. Hall..... Second Lieut. G. F. Schlachter	Commanding company. D. S., Iba Jay, Panay. With company.
F, Bugason, Panay.	Capt. D. R. Weller..... First Lieut. F. L. Dengler... Second Lieut. W. S. Blair....	Commanding company. D. S., Tagbilaran, Bohol. D. S., Bugason, Panay.

Forty-fourth Infantry, United States Volunteers—Continued.

Companies and stations.	Officers.	Remarks.
Company G, Pandan, Panay.	Capt. M. C. Raysor	Commanding company.
	First Lieut. A. J. Cadden....	With company.
	Vacancy (see unassigned)..	
Company H, Ibañay, Panay..	Capt. T. Leonard.....	Commanding station.
	First Lieut. C. B. Parker.....	Attached to Company G for duty.
	Second Lieut. P. R. Strange..	Commanding company.
Company I, Sibonga, Cebu...	Capt. J. K. Wiggins.....	Do.
	First Lieut. W. J. White.....	Commanding, Barili, Cebu.
	Second Lieut. L. L. Thomas..	Commanding detachment Company
		Argao, Cebu.
Company K, Alegria, Cebu..	Capt. K. T. Smith	Commanding company.
	First Lieut. O. R. Perry.....	Commanding detachment native sec
		Dumanjug, Cebu.
	Second Lieut. W. E. Parsons..	Commanding detachment Company
		Sanbuan, Cebu.
Company L, Dumanjug, Cebu.	Capt. A. S. Crossfield	D. S., Cebu, Cebu.
	First Lieut. R. B. Going.....	Commanding company.
	Second Lieut. G. Bennett...	With company.
Company M, Balamban, Cebu.	Capt. J. L. Malley	Commanding company.
	First Lieut. J. B. Heyburn ..	D. S., Cebu, Cebu.
	(Vacancy).....	
Unassigned	Second Lieut. E. J. Hincken..	Assistant to regimental commissary, Ce
		Cebu.
	Second Lieut. R. W. Jones...	D. S., Ibañay.

Leyte scouts.

Companies and stations.	Officers.	Remarks.
Company A, Dulag, Leyte ...	First Lieut. L. D. Gasser,	Commanding company.
	Forty-third Infantry.	
Company B, Barugo, Leyte..	Second Lieut. W. H. Wil-	Do.
	son, Forty-third Infantry.	
Company C, Dulag, Leyte....	First Lieut. L. D. Gasser,	Temporarily in command.
	Forty-third Infantry.	
Company D, Palo, Leyte	Second Lieut. G. Johnson..	Commanding company

Cebu scouts.

Companies and stations.	Officers.	Remarks.
Company A, Dumanjug,	First Lieut. O. R. Perry,	Commanding company.
Cebu,	Forty-fourth Infantry....	
Company B, Naga, Cebu.....	First Lieut. I. L. Hunt,	Do.
	Fifth Infantry.	

Negros scouts.

Companies and stations.	Officers.	Remarks.
Company A, Bacolod, Negros.	Capt. P. A. Escamilla	Commanding company.
Company B, Soledad, Negros.	Capt. H. Gutierrez.....	Do.
Company C, Bito, Negros.....	Capt. N. Barileca.....	Do.
Company D, Dumaguete,	Second Lieut. E. M. Norton,	Do.
Negros.	Sixth U. S. Infantry.	

Panay scouts.

Companies and stations.	Officers.	Remarks.
First Battalion, Leon, Panay.	Capt. A. Greig, jr., Twenty-	Commanding battalion.
	sixth Infantry, United	
	States Volunteers.	
Company A, Santa Barbara,	First Sergt. I. L. Hunsaker,	Commanding company.
Panay.	H., Eighteenth United	
	States Infantry.	

Panay scouts—Continued.

and stations.	Officers.	Remarks,
ototan, Panay.	Sergt. A. Walker, G, Eighteenth United States Infantry.	Commanding company.
batuan, Panay	Capt. J. Hickey, Twenty-sixth Infantry, United States Volunteers.	Do.
lagao, Panay .	First Lieut. D. J. Moynihan, Twenty-sixth Infantry, United States Volunteers.	Do.
on .....	.....	.....
lasi, Panay...	C. O. Antique Prov.....	.....
livo, Panay ..	First Lieut. F. C. Bolles Sixth United States Infantry.	Do.
upiz, Panay ...	First Lieutenant W. F. Grote, Eighteenth United States Infantry.	Do.
ura, Panay....	C. O. Sara.....	.....

Garrisoned stations.

Island.	Dis- trict.	Troops.
..... Leyte.....	1	Forty-third Infantry, M; Leyte Scouts, Detachment A.
..... do	1	Forty-third Infantry, F.
..... Cebu	2	Forty-fourth Infantry, K.
..... Panay	4	Twenty-sixth Infantry, Detachment I; Panay Scouts, Detachment D.
..... Cebu	2	Forty-fourth Infantry, Detachment I.
..... Negros	3	Sixth Infantry, Detachments F, G.
..... do	3	Sixth Infantry, B, Detachments B, D, H, M; Negros Scouts, A, Detachment C.
..... do	3	Sixth Infantry, Detachment G.
..... do	3	Sixth Infantry, Detachment G.
..... Cebu	2	Forty-fourth Infantry, M.
..... Panay	4	Twenty-sixth Infantry, D; Thirty-eighth Infantry, I.
..... do	4	Twenty-sixth Infantry, L; Thirty-eighth Infantry, Detachment L; Panay Scouts, detachment B.
..... Leyte.....	1	Forty-third Infantry, H; Leyte Scouts, B.
..... Negros	3	Sixth Infantry, Detachments F, G.
..... Leyte.....	1	Forty-third Infantry, E.
..... Negros	3	Sixth Infantry, D, Detachment H.
..... do	3	Negros Scouts, C.
..... Cebu	2	Nineteenth Infantry, I.
..... Panay	4	Sixth Infantry, L; Nineteenth Infantry, E; Forty-fourth Infantry, F; Panay Scouts, Detachment E.
..... Negros	3	Sixth Infantry, Detachments D, M; Negros Scouts, Detachments B, C.
..... Panay	4	Twenty-sixth Infantry, H; Eighteenth Infantry, Detachment H; Panay Scouts, detachment C.
..... Negros	3	Sixth Infantry, Detachments E, M.
..... do	3	Sixth Infantry, Detachment E.
..... Panay	4	Sixth Infantry, A, C, K; Panay Scouts, F.
..... do	4	Thirty-eighth Infantry, B.
..... Cebu	2	Nineteenth Infantry, Detachment I.
..... Panay	4	Eighteenth Infantry, M, Detachments I, K; Panay Scouts, Detachment G.
..... Cebu	2	Forty-fourth Infantry, Detachment I.
..... Leyte.....	1	Forty-third Infantry, B, Detachment H; Leyte Scouts, Detachment B.
..... Cebu	2	Nineteenth Infantry, D, F; Sixth Artillery, Detachment G.
..... Panay	4	Sixth Infantry, I; Panay Scouts, E.
..... Leyte.....	1	Forty-third Infantry, C; Leyte Scouts, Detachment A.
..... Cebu	2	Nineteenth Infantry, B.
..... Negros	3	Sixth Infantry, Detachment E.
..... do	3	Sixth Infantry, Detachment D; Negros Scouts, Detachment B.
..... Panay	4	Eighteenth Infantry, K.
..... (Antique province) ..	4	Thirty-eighth Infantry, G; Panay Scouts, Detachment E.

Garrisoned stations—Continued.

Station.	Island.	District.	Troops.
Dingle.....	Panay	4	Thirty-eighth Infantry, M; Panay Scouts, detachment C.
Dulag	Leyte.....	1	Forty-third Infantry, K; Leyte Scouts, A.
Dumaguete.....	Negros.....	3	Sixth Infantry, F, G, Negros Scouts, D.
Dumangas.....	Panay	4	Twenty-sixth Infantry, Detachment L; Thirty-eighth Infantry, Detachment L.
Dumanjug	Cebu	2	Forty-fourth Infantry, L, mounted, Detachment; Cebu Scouts, B.
Dumarao	Panay	4	Eighteenth Infantry, L; Panay Scouts, detachment G.
El Pardo	Cebu	2	Nineteenth Infantry, Detachment H.
Escalante	Negros.....	3	Sixth Infantry, E; Negros Scouts, Detachment C.
Ginigaran	do	3	Sixth Infantry, Detachment D.
Guadalupe	Cebu	2	Nineteenth Infantry, M.
Guijulangán.....	Negros.....	3	Sixth Infantry, Detachments F, G.
Guilhungan	do	3	Sixth Infantry, Detachment D; Negros Scouts, Detachment B.
Guimbal.....	Panay	4	Twenty-sixth Infantry, Detachment M; Panay Scouts, Detachment D.
Guimbalaon.....	Negros.....	3	Sixth Infantry, Detachment M; Negros Scouts, Detachment C.
Ibajay.....	Panay	4	Forty-fourth Infantry, H; Panay Scouts, detachment F.
Igaras.....	do	4	Twenty-sixth Infantry, Detachment M.
Ilog	Negros.....	3	Sixth Infantry, Detachment D.
Iloilo	Panay	4	Twenty-sixth Infantry, E, F; Sixth Infantry, G.
Isabela	Negros.....	3	Sixth Infantry, Detachments D, E, M.
Islo	do	3	Sixth Infantry, Detachment D; Negros Scouts, Detachment B.
Jagna.....	Bohol	2	Forty-fourth Infantry, C.
Janluay	Panay	4	Twenty-sixth Infantry, G; Panay Scouts, detachment C.
Jaro	Leyte.....	1	Forty-third Infantry, Detachment B; Leyte Scouts, Detachment B.
Do.....	Panay	4	Twenty-sixth Infantry, A; Eighteenth Infantry, mounted detachment.
Jimamaylan.....	Negros	3	Sixth Infantry, Detachment D; Negros Scouts, Detachment B.
La Carlota.....	do	3	Sixth Infantry, H, Detachment B; Negros Scouts, Detachment B.
L Castellana.....	do	3	Sixth Infantry, Detachments D, H; Negros Scouts, Detachment B.
La Granja	do	3	Sixth Infantry, Detachment H.
Lambunao.....	Panay	4	Thirty-eighth Infantry, K; Panay Scouts, detachment C.
Legatic.....	do	4	Sixth Infantry, Detachments A, C.
Leon.....	do	4	Twenty-sixth Infantry, I; Panay Scouts, detachment D.
Liloan	Cebu	2	Nineteenth Infantry, Detachment B.
Loay	Bohol	2	Nineteenth Infantry, K.
Loon	do	2	Nineteenth Infantry, Detachment L.
Maasin	Leyte.....	1	Forty-third Infantry, G.
Do.....	Panay	4	Eighteenth Infantry, H; Panay Scouts, detachment C.
Malinao	do	4	Sixth Infantry, Detachment A; Panay Scouts, Detachment F.
Manapla.....	Negros	3	Sixth Infantry, M; Negros Scouts, Detachment C.
Mandaue	Cebu	2	Eighteenth Infantry, Detachment M.
Mambunao	Panay	4	Eighteenth Infantry, I.
Matalom	Leyte.....	1	Forty-fourth Infantry, A.
Miagao.....	Panay	4	Nineteenth Infantry, C; Twenty-sixth Infantry, M; Panay Scouts, D.
Murcia	Negros.....	3	Sixth Infantry, Detachment B; Negros Scouts, Detachment A.
Nabalas	Guimaras.....	4	Eighteenth Infantry, Detachment G.
Naga	Cebu	2	Nineteenth Infantry, G; Cebu Scouts, A.
Ormoc.....	Leyte.....	1	Forty-fourth Infantry, D.
Oton.....	Panay	4	Twenty-sixth Infantry, Detachment I.
Palo	Leyte.....	1	Forty-third Infantry, Detachments A, I, C; Scouts, Detachment B.
Palompom	do	1	Forty-third Infantry, F.
Pandan.....	Panay	4	Thirty-eighth Infantry, F; Forty-fourth Infantry, G; Panay Scouts, Detachment E.
Panitan	do	4	Eighteenth Infantry, F.
Patnongan	do	4	Nineteenth Infantry, Detachment A; Panay Scouts, Detachment F.
Pasel	do	4	Thirty-eighth Infantry, A, C, D.
Pavia	do	4	Panay Scouts, Detachment C.

Garrisoned stations—Continued.

Station.	Island.	District.	Troops.
.....	Negros.....	3	Sixth Infantry, Detachment H.
.....	Panay.....	3	Eighteenth Infantry, Detachment E; Panay Scouts, Detachment G.
.....	do.....	4	Twenty-sixth Infantry, B, C; Thirty-eighth Infantry, M; Panay Scouts, B.
.....	Negros.....	3	Sixth Infantry, Detachment H.
.....	do.....	3	Sixth Infantry, Detachment E.
.....	Cebu.....	2	Forty-fourth Infantry, Detachment K.
.....	Negros.....	3	Sixth Infantry, G.
.....	Panay.....	4	Twenty-sixth Infantry, Detachment M; Panay Scouts, Detachment D.
Buenavista.....	do.....	4	Nineteenth Infantry, A; Thirty-eighth Infantry, H; Panay Scouts, Detachment F.
.....	Negros.....	3	Sixth Infantry, Detachment H.
.....	Panay.....	4	Twenty-sixth Infantry, K; Panay Scouts, A; Detachment C.
.....	do.....	4	Twenty-sixth Infantry, Detachment I; Panay Scouts, Detachment D.
.....	Cebu.....	2	Nineteenth Infantry, H.
.....	Panay.....	4	Eighteenth Infantry, E, G; Panay Scouts, H.
.....	Negros.....	3	Sixth Infantry, Detachment M.
.....	Panay.....	4	Thirty-eighth Infantry, F; Panay Scouts, Detachment E.
.....	Cebu.....	2	Forty-fourth Infantry, I.
.....	Panay.....	4	Eighteenth Infantry, Detachment K; Panay Scouts, Detachment G.
.....	Negros.....	3	Sixth Infantry, Detachment B, M; Negros Scouts, Detachment C.
.....	do.....	3	Negros Scouts, B.
.....	Cebu.....	2	Nineteenth Infantry, Detachment G.
.....	Leyte.....	1	Forty-third Infantry, D, I.
.....	do.....	1	Forty-third Infantry, A, L.
.....	Panay.....	4	Forty-fourth Infantry, E, F; Panay Scouts, E.
.....	do.....	4	Twenty-sixth Infantry, Detachment I; Panay Scouts, Detachment D.
.....	Negros.....	3	Sixth Infantry, Detachment E, Negros Scouts, Detachment C.
.....	Leyte.....	1	Leyte Scouts, Detachment A.
.....	Bohol.....	2	Nineteenth Infantry, L.
.....	do.....	2	Forty-fourth Infantry, B; Nineteenth Infantry, Detachment L.
.....	Negros.....	3	Sixth Infantry, Detachment H.
.....	do.....	3	Sixth Infantry, Detachment F.
.....	do.....	3	Sixth Infantry, Detachment M.

Number of stations garrisoned, 123.

WAR DEPARTMENT,
Washington, May 15, 1902.

HENRY C. LODGE,
Chairman Committee on the Philippines,
United States Senate.

Having reference to Department letter of April 25, 1902, enclosing copies of petitions of natives of the Philippine Islands, asking retention of United States officers and garrisons in their localities, in which you were advised that others of a like character were furnished at a later date, I have now the honor to send you copies of such petitions as were received by the last mail. Very respectfully,

ELIHU ROOT,
Secretary of War.

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., March 11, 1902.
LIEUTANT-GENERAL, DIVISION OF THE PHILIPPINES,
Manila, P. I.

Pursuant to telegraphic instructions from your office, dated ultimo, I have the honor to forward herewith original com-

munications and copies of records at these headquarters concerning the retention of troops and officers in this brigade and the discontinued Department of the Visayas, as follows:

Island of Bohol.

Copy of telegrams from Maj. T. C. Woodbury, Nineteenth Infantry, Tagbilaran, stating verbal requests were received from Ubay, Calape, and Tagbilaran for the retention of troops. States request was made for his retention. Report from Major Woodbury inclosing request from Calape for retention of troops.

Island of Cebu.

Copy of telegram from Maj. J. F. Huston, Nineteenth Infantry, Cebu, stating verbal petitions were received from Carcar, Sibonga, Alegia, and Mandane for the retention of troops.

Island of Negros.

Abuanan: Application for retention of troops (2). Letter from secretary Negros Occidental, Bacolod, relative to subscription for the lepers. Letter from provincial governor, Negros Occidental, Bacolod, for American troops to exterminate robber bands.

Castellana: Application for troops (1). For retention of officer (1).

Granada: Application for troops.

Gulnjugan: Application for troops.

Manapla: Application for retention of officer.

San Carlos: Application for retention of officer. Letter from provincial governor, Negros Occidental, Bacolod, requesting cooperation of military authorities in maintaining order.

Isabela: Application for mounted detachment.

Cabancalan: Application for troops.

Bacolod: Application for retention of officer at Valladolid.

San Carlos: Application for retention of officer.

Granada: Thanking for detachment sent to that place.

Bais: Application for an officer to be sent.

Manapla: Application for retention of an officer.

Murcia: Letter commending work of troops and officers at that place.

San Carlos: Application for retention of troops.

Silay: Application for retention of officer (2).

Island of Panay.

Banate: Application for retention of troops.

Cabatuan: Application for retention of troops (2). Report from Lieutenant Seeman, former commanding officer, Cabatuan, retention of troops.

Capiz: Report from commanding officer stating verbal petitions were received for retention of troops from Pilar (several), Cuartero, Tapas.

Duenas: Application for retention of troops.

Jagnay, Mandusao, Balete, Batan, Picazo, Numancia, Lezo, Macala, Tangalan, and Jimeno.

Nabales: Application for retention of troops.

Capiz: Letter from provisional governor Capiz Province, requesting retention of Corporal Lombardy, Eighteenth Infantry.

Sara: Application for retention of troops.
 Colasi: Request to attach Ajuy with Colasi for protection.
 Zarraga: Application for retention of troops.
 Concepcion: Report from commanding officer, inclosing applications or retention of troops at Balasan and Estancia.
 Calinog: Application for retention of officer (1); for troops (1).
 Dao: Application for retention of troops and telephone.
 Dumangas: Application for troops to garrison town (2).
 Iloilo: Report from commanding officer, stating verbal petitions were made for retention of troops at Pandan, Sebaste, Bacalan, Bidan, Tibao, Victorias (Negros), San Joaquin, Miagao, Guimbal, Igharas, Tubungan, Oton, San Miguel, Alimodian, Maasin.
 Iloilo: Application for retention of officer.
 Santa Barbara: Application for retention of officer.
 Iloilo: Adjutant-general Department of Visayas states Tubungan requests detail of troops.
 Igharas: Application for retention of troops in convent.
 Janiway: Request for retention of officer.
 Leganes: Application for troops.
 Leon: Relative to ladrone reports and rumors reported by Mr. Sawyer. Report from commanding officer, stating verbal request was made for retention of troops.
 Pototan: Report from commanding officer, stating that Pototan, Dingle, Passi, Barotac Nuevo, made verbal requests for retention of troops.
 San Jose de Buenavista: Application for retention of officer. Letter from provisional governor Antique Province, applying for retention of troops in province.
 Report from commanding officer inclosing four letters bearing on subject of retention of troops.
 Topas: Application for detachment of troops.

Island of Samar.

Lucang: Application for retention of officer.

Island of Cuyo.

Telegrams between commanding general Department of Visayas and commanding general Department of Mindanao and Jolo with reference anticipated ladrone attack.

Attention is invited to the inclosed clipping from the Iloilo Times of March 9, 1902, giving an account of what took place in Leon, Panay, upon the withdrawal of the troops. Mr. F. D. Sawyer, who wrote the article, is a school-teacher at that place, appointed by the school bureau. I would add, in conclusion, that Leon has a town police and that the constabulary was notified that the troops would be removed.

Total number applications (written and verbal) for retention of troops:

Colon	3
Calinog	4
Leganes	3
Topas	46
Total	56

Total number applications for retention of officers:

Bohol	1
Negros	8
Panay	6
Samar	1

Total..... 16

Total number applications for troops for garrisons:

Negros	7
Panay	6

Total..... 13

While the above statements represent the applications that have been reported, it should be stated that it does not by any means represent all the applications that have been made, for the simple reason that as troops were ordered withdrawn for return to the United States it was not possible to grant such requests and officers made no official report of the fact of such applications.

For convenience of reference I have the honor to inclose a copy of all papers above referred to, those in Spanish being translated.

ROBERT H. NOBLE,
*Captain, Third United States Infantry,
 Adjutant-General in the absence of the Brigade Commander.*

[First indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., March 20, 1902.

Respectfully forwarded to the Adjutant-General of the Army, in connection with his cablegram of February 5, 1902, directing that such papers be forwarded.

ADNA R. CHAFFEE,
Major-General, United States Army, Commanding.

[First indorsement.]

HEADQUARTERS POST OF BACOLOD,
Bacolod, Negros, February 24, 1902.

Respectfully forwarded to the adjutant-general Fifth Separate Brigade.

The inclosed papers are but a few of the testimonials to the good conduct of officers and troops in Negros.

There has hardly been a change of station ordered in Negros without a delegation appearing to ask for a revocation of the order on account of their confidence in the officers or troops about to be relieved.

In many cases these delegations have presented petitions in writing, which were handed back to them and no record made.

I have yet to hear of any cases of oppression of the natives by officers or enlisted men of the Army.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

HEADQUARTERS POST OF BACOLOD,
Bacolod, Negros, March 4, 1902.

THE ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I.

SIR: I have the honor to inclose herewith translation of letter received by me this date from the provincial governor Occidental Negros.

It may be of interest in connection with other papers bearing upon the attitude of natives toward officers and troops in Negros forwarded from this office February 24, 1902.

Very respectfully.

C. W. MINER,
Colonel Sixth Infantry,
Commanding Regiment and Post of Bacolod.

OFFICE OF THE PROVINCIAL GOVERNOR
 OF OCCIDENTAL NEGROS,
Bacolod, P. I., March 3, 1902.

TO COLONEL OF THE SIXTH INFANTRY.

Commandant of the Post of Bacolod, Bacolod, Negros, P. I.

SIR: Having this morning taken possession of the office of provincial governor of Occidental Negros, I take pleasure in sending to you and all the officers of the United States Army in Occidental Negros my most affectionate salutation.

In the first period of my governorship the United States Army in this province gave me its cooperation; for which, in the name of the provincial government, of the inhabitants of Occidental Negros, and of my own, I gladly take advantage of this occasion to extend to you and to your worthy officers our gratitude.

In this new period of my administration I beg that this aid may continue to be given to the provincial government, which, as announcement of its purpose, will confine its attention to the tranquillity and prosperity of this province; which are the same objects of the Government of the United States in the Philippines, to which the civil officers will ever direct their steps, counting upon the cooperation of the military, to the end that they may travel hand in hand toward the same goal and in firm fellowship, as members of one and the same government.

I have the honor to be, sir, yours, very respectfully.

[SEAL.]

LEANDRO LACSIN Y RAMA,
Governor Negros Occidental, P. I.

MANILA, P. I., *October 28, 1901.*

TO LACSIN.

Provincial Governor, Negros, Occidental, P. I.:

Having consulted with the commanding officer of the troops and the chief inspector of constabulary of his province in regard to the bands of robbers infesting some parts of the province, especially in

the southern part, recommends that the military authorities be authorized to follow up the malefactors whenever it may be necessary. Makes this request with the knowledge and consent of Colonel Miner.

[First indorsement.]

OFFICE OF THE CIVIL GOVERNOR
OF THE PHILIPPINE ISLANDS,
Manila, P. I., November 1, 1901.

Referred to the commanding general and military governor in the Philippine Islands.

WM. H. TAFT,
Civil Governor,
By A. W. FERGUSON,
Executive Secretary.

[Second indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., November 2, 1901.

Referred to the commanding general, Fifth Separate Brigade, Iloilo. Panay, P. I., who is authorized under this request to use the military forces of his command to suppress the bands of robbers in the province of Negros referred to. Vigorous action should be adopted in order that the disorder may be quickly ended. Where possible to secure the assistance of the constabulary as guides and to gather information, it would seem advisable to do so, and prisoners arrested should be delivered to civil courts for trial and punishment.

By command of Major-General Chaffee:

J. T. KERR,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., November 13, 1901.

Official copy respectfully furnished the commanding officer, post of Bacolod, Negros, P. I., for his information and guidance.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Captain Third United States Infantry,
Acting Assistant Adjutant-General.

[Telegram.]

SAN CARLOS, *September 16, 1901.*

Captain POORE, *Bacolod, Negros:*

Knowing that the American detachment will soon be withdrawn from the town, we beg of you, hacenderos and merchants, that it not be done, in view of important interests that are here. The moral effect of presence of troops in this town is very great, and the guaranty of complete tranquillity in name of merchants and hacenderos

GAMBOA

SAN CARLOS, *September 16, 1901.*

MILITARY GOVERNOR, *Bacolod:*

Hearing that the American military detachment is to be withdrawn, the hacenderos and merchants energetically protest the carrying out of this measure, as they consider it to be very serious, and at the same time have the honor to inform your excellency that if said detachment be withdrawn they will be forced to leave this locality, abandoning their important interests, for want of personal security. If more important reasons will not permit your excellency to grant our request, we beg that the post now in Excalante be transferred to this pueblo, as said pueblo is without importance, while San Carlos has and is a strategic point for military vigilance.

In the name of hacenderos and merchants.

GAMBOA.

[First indorsement.]

MILITARY SUBDISTRICT BACOLOD,
Bacolod, Negros, February 12, 1900.

Respectfully referred to the commanding officer Sixth Infantry.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, February 14, 1900.

Respectfully returned through commanding officer military sub-district of Negros. It is gratifying to the regimental commander to know that Lieutenant Mulliken has accomplished so much for the good of San Carlos, but inasmuch as conditions have arisen which are beyond the control of the regimental commander, it is not deemed advisable to change plans already made.

C. W. MINER,
Lieutenant-Colonel Sixth Infantry, Commanding

[First indorsement.]

HEADQUARTERS SUBDISTRICT BACOLOD,
Bacolod, Negros, February 8, 1900.

Respectfully referred to the commanding officer Sixth Infantry.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, February 9, 1900.

Respectfully returned through commanding officer military sub-district of Negros.

It is extremely gratifying to the regimental commander to know that Lieutenant Hunt has accomplished so much for the good of Manapla. Inasmuch, however, as Lieutenant Hunt will in all likelihood be promoted to captaincy within a few weeks and ordered to another regiment, and inasmuch as the change of station directed is to assemble the companies of the same battalion in the La Carlota district, it is not deemed advisable to change the plans already made.

C. W. MINER,
Lieutenant-Colonel Sixth United States Infantry
Commanding.

GULNJUGAN, NEGROS ISLAND, P. I., *December 27, 1899.*

Citizens of Gulnjugan request a detachment of American soldiers to protect their lives and property.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT, BACOLOD,
Bacolod, Negros, P. I., January 4, 1900.

Respectfully forwarded to the commanding officer Sixth United States Infantry.

By Commanding Brigadier-General Smith.

H. F. DALTON,
First Lieutenant, Nineteenth United States Infantry,
Aid-de-Camp.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, January 6, 1900.

Forwarded to the commanding officer La Carlota District, La Carlota, Negros.

By order of Lieutenant-Colonel Miner.

B. A. POORE,
Captain and Adjutant, Sixth Infantry.

GRANADA, NEGROS, P. I., *December 30, 1899.*

Citizens of Granada request a detachment of American soldiers for Granada.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT BACOLOD,
Bacolod, Negros, P. I., January 2, 1900.

Respectfully forwarded to the commanding officer Sixth United States Infantry.

By Commanding Brigadier-General Smith.

H. F. DALTON,
First Lieutenant, Nineteenth United States Infantry,
Aid-de-Camp.

ILOILO, PANAY, P. I., *January 3, 1900.*

Diego de la Vina states that he wishes to return to his hacienda and requests that a detachment of American soldiers be established at Valle Hermosa for his protection.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
January 22, 1900.

Respectfully forwarded to the commanding officer Sixth Infantry for remarks.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, January 25, 1900.

Respectfully returned to the commanding officer military subdistrict of Negros. In the absence of any reports from commanding officer Company I, Sixth Infantry, who was at San Carlos, respecting the danger to Valle Hermosa, I can not recommend a dispersion of force on east coast of Negros. If Señor de la Vina will send to any garrison in Oriental Negros information of the whereabouts of these insurrectos, which he should easily find out, troops will be at once forthcoming to destroy such bands.

C. W. MINER,
Lieutenant-Colonel Sixth Infantry.

ILOILO, PANAY, P. I., *January 21, 1900.*

Manatirio Augustin requests that a detachment of American soldiers be stationed at his hacienda in Negros.

[First indorsement.]

MILITARY SUBDISTRICT BACOLOD,
Bacolod, Negros, February 12, 1900.

Respectfully referred to Capt. Chas. Byrne, Dumaguete, Negros, P. I., through the commanding officer Sixth Infantry.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, February 13, 1900.

Respectfully transmitted to Capt. Chas. Byrne, Sixth Infantry.
By order of Lieutenant-Colonel Miner:

B. A. POORE,
Captain and Adjutant, Sixth Infantry.

CASTELLANA, NEGROS ISLAND, P. I., *February 11, 1900.*

Citizens of Castellana petition to have Lieutenant Nesbitt retained in Castellana.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
Bacolod, Negros, February 17, 1900.

Respectfully referred to the commanding officer Sixth Infantry.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, February 17, 1900.

Respectfully returned to the commanding officer, military subdistrict of Negros.

The regimental commander is much gratified to learn from the citi-

zens of Castellana that Lieutenant Nesbitt has done his duty to their entire satisfaction, but in view of conditions over which he has no control, he regrets that at present he can not comply with the within request.

C. W. MINER,
Lieutenant-Colonel Sixth Infantry, Commanding.

CASTELLANA, NEGROS ISLAND, P. I., *September 2, 1899.*

Jose de la Vina asks to have 15 American soldiers permanently stationed at his hacienda.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICTS,
ISLAND OF NEGROS,
Bacolod, Negros, September 7, 1899.

Respectfully referred through commanding officer Sixth Infantry to officer in charge Carlota district for such action as may be proper.

JAMES F. SMITH,
Brigadier-General, United States Volunteers, Commanding.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, September 8, 1899.

Respectfully referred to Lieut. Col. B. A. Byrne, United States Volunteers, commanding Carlota district. Attention is invited to first indorsement hereon.

By order of Lieutenant-Colonel Miner:

B. A. POORE,
Captain and Adjutant Sixth Infantry.

BACOLOD, NEGROS, P. I.,
February 21, 1902.

Señor COLONEL MINER,
*Commander of the Post of Bacolod,
Bacolod, Negros, P. I.*

SIR: By the direction of the junta provincial of Occidental Negros I have the honor of informing your excellency and the other gentlemen who took part in the subscription for the lepers at the reception which took place at the military headquarters post of Bacolod, that the province of Occidental Negros joins in the profound gratitude of the municipal president of Bacolod for the great and noble work of charity performed by your excellency and the said gentlemen.

Very respectfully yours,

L. MORENO,
Secretary Negros Occidental, P. I.

Seventy-five dollars gold subscribed.

[Brief.]

The local president, counselors, and the most prominent men of the town of Banale, respectfully request the commanding general not to

ove the American detachment from their town; as well as Dr. [illegible], because their services are needed in that locality, as all the people appreciate them very much and object to their removal.

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I.

[Brief.]

the local presidente and counselors of the town of Banate respectfully pray, that having heard by public rumor that the American detachment of that locality will soon be removed, and as they have not armed police in the town, they are afraid of being attacked by [illegible] ones, for which reason they earnestly request you not to remove as the said detachment from their town.

EUGENIO BADELLA,
Local Presidente.

[First Indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., January 21, 1902.

respectfully referred to the provincial governor, province of Iloilo, through whom this application should have been sent. It is intended at an early date to withdraw the troops from this town, so that if police have not already been organized it would be that steps to that end should be taken. In order of Colonel Snyder:

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Second Indorsement.]

ILOILO, *January 24, 1902.*

respectfully submitted to the chief inspector of insular police of province for his knowledge and action.

MARTIN DELGADO,
Civil Governor.

[Third Indorsement.]

PHILIPPINE CONSTABULARY, OFFICE OF THE INSPECTOR,
Iloilo, P. I., February 14, 1900.

respectfully returned to the governor. As soon as revolvers are received from Manila some will be furnished the police at Banate. It is so probable that a detachment of constabulary will be sent there.

L. PATSTONE,
*Senior Inspector Philippine Constabulary,
Province of Iloilo.*

SANTA BARBARA, PANAY, *March 11, 1902.*

The ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: Referring to the withdrawal of the detachment of the Forty-fourth Company, Philippine Scouts, Visayans, from Cabatuan, Panay, I have the honor to state that, upon hearing of the order that the town was to be evacuated, the presidente of Cabatuan and all leading citizens called on me requesting me to stay with the detachment, or if that was impossible at least to leave about 10 or 12 American soldiers there. They stated that taking away the American troops from these towns was the worst thing the military could do. Furthermore, they stated that the fact of having a few American soldiers in a town was enough and sufficient to keep the ladrones out of these towns, and by withdrawing all American troops things would come to the same conditions as they were during the Spanish régime.

Very respectfully,

ANTON SEEMANN,
*First Lieutenant, Philippine Scouts, formerly
Commanding Officer, Cabatuan, Panay, P. I.*

[Brief.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, Panay, Philippine Islands.

The local presidente and counselors of the town of Cabatuan respectfully pray that, having heard by public rumor that the American detachment of that locality will soon be removed, and as they have not yet sufficient armed police in the town, they are afraid of being attacked by ladrones, for which reason they earnestly request you not to remove the said detachment from their town; neither the commanding officer, Mr. Sherman (Seaman), who has great sympathy in that town.

SIMFOROSA TRAVAGOSA,
Local President.

[First indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., January 23, 1902.

Respectfully referred to the provincial governor, province of Iloilo, Panay, P. I., through whom this communication should have been sent, with the information that the detachment will be withdrawn in accordance with the wishes of the civil governor of the Philippines, as expressed to the military governor of the Philippines.

By order of Colonel Snyder:

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Second indorsement.]

ILOILO, *January 28, 1902.*

Respectfully submitted to the chief inspector of the insular police of this province for his knowledge and action.

MARTIN DELGADO,
Civil Governor of the Province.

[Third Indorsement.]

OFFICE OF THE SENIOR INSPECTOR,
Province of Iloilo, P. I., January 28, 1902.

Respectfully forwarded to the chief Philippine constabulary.
 This office is in receipt of other communications of this nature. The force of constabulary in this province is amply sufficient for the protection of the residents in it, it having been increased to its maximum, viz, 160, providing they are supplied with proper arms and equipment. The requisition for these arms have been in Manila some time, but has not been honored, and without arms this additional force is useless.

LEWIS PATSTONE,
Senior Inspector, Philippine Constabulary, Iloilo, P. I.

[Fourth Indorsement.]

HEADQUARTERS PHILIPPINE CONSTABULARY,
Manila, P. I., February 4, 1902.

Respectfully returned to the senior inspector of Iloilo. Arms and ammunition are expected daily from the States, and a supply will be at you as soon as they arrive.

HENRY T. ALLEN,
Chief Philippines Constabulary.

[Fifth Indorsement.]

OFFICE OF THE SENIOR INSPECTOR,
Iloilo, Panay, P. I., February 12, 1902.

Respectfully returned to the governor of the province of Iloilo, directing attention to the fourth indorsement.

LEWIS PATSTONE,
Senior Inspector, Philippine Constabulary, Iloilo, Panay, P. I.

CAPIZ, CAPIZ PROVINCE, PANAY, P. I.,
February 13, 1902.

I hereby certify on honor that on or about April, 1901, when hostilities ceased in this province, small detachments of troops were stationed in every or nearly every town to protect the inhabitants against *lianes* and *ladrones*. One by one, as the situation improved, these detachments were withdrawn to the more permanent stations of Capiz and Calivo.

To me, as commanding officer first of Calivo, then of Capiz and Calivo both, petitions for the retention of the detachments after they had been withdrawn were sent from the following towns:

Pilar (several), Cuartero, Tapas, Jagnaya, Mambusao, Batan, Balete, Icazo, Numancia, Lezo, Macato, Tangalan and Jimeno.

These petitions were ordinarily made in writing, but sometimes verbally, and in each case from the constituted authorities of the town.

C. G. MORTON,
Captain, Sixth Infantry, Commanding Troops Province.

CAPIZ, PANAY, P. I., *July 8, 1901.*

Vidal, Hugo, governor, Capiz Province, requests that Corporal Lombardy, band, Eighteenth Infantry, be left to disposition of provincial governor Capiz Province. States Corporal Lombardy understands Spanish language very well and could assist them in organizing native police force at Manila.

[Fifth indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., July 17, 1901.

Respectfully returned to the provincial governor Capiz Province, Panay, P. I. The Eighteenth Infantry is now under orders to return to the United States under instructions received from the War Department. Corporal Lombardy must return with his regiment.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Assistant Adjutant-General.

COLASI, PANAY, P. I., *May 3, 1901.*

Presidentes of Pili and Colasi state that town of Ajuy wishes to attach their towns as barrios and express a desire to be allowed to form a joint local government. Ask commanding officer's assistance to that end.

[First indorsement.]

SARA, PANAY, P. I., *May 8, 1901.*

Forwarded to adjutant-general Department of the Visayas for action of proper authorities. Pili is about 5 miles and Colasi 10 miles from Ajuy. Both are so separated from Ajuy as to have little interest in common. Under Spanish Government both places were barrios of Ajuy. From the first, under military government of the Americans, owing to their natural independence, both places have been recognized as pueblos. They now earnestly petition to be created into one pueblo separate and independent of Ajuy. I believe that their petition is just, and I recommend that it be granted.

E. E. HATCH,
Captain, Eighteenth Infantry, Commanding.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., May 20, 1901.

Respectfully referred to the provincial governor province of Iloilo Iloilo, Panay, P. I.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Assistant Adjutant-General.

CONCEPCION, PANAY, P. I.,
February 25, 1902.

The ADJUTANT-GENERAL, FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: In answer to your telegram of the 11th instant, received on the 21st instant, I have the honor to forward, inclosed herewith, petition

signed by citizens of Balsan and a letter from Presidente Estancia, asking that the troops be retained in their respective pueblos. It is not known whether these have, at some past date, been forwarded to your headquarters.

Very respectfully,

CHARLES BROOKS CLARK,
First Lieutenant, Sixth Infantry, Commanding.

We, the undersigned, the prominent citizens of the town of Balasan, promise to lend any assistance required by the American detachment, the stationing of which in this town we request for the weal, security, and tranquillity of all inhabitants, and the house for the headquarters is promised and placed at the disposal of the military commander at Sara by the owner, Señora Petra Fuentes, of her own free and unconstrained will, who also places her signature below, together with ours, at Balasan, on the 10th of November of 1901.

JUAN ARGUELLES, *Presidente.*
(And 16 others.)

ESTANCIA, *November 4, 1901.*

MILITARY COMMANDER, *Sara.*

SIR: The inhabitants of this town have learned, to their great sorrow, that to-day the sergeant in command of the post in this town received an order to withdraw to the main military station of that city (Sara), and inasmuch as the circumstances through which this city is passing are extremely critical, when we take into consideration the occurrence reported by the Presidente (Mayor) of Batad, taking place to-day in the suburb Quiasan, which was attacked by men of wicked life, armed with rifles and cutlasses. For this reason, I, as representative of the entire town, request you, sir, to order, if this will not cause inconvenience, that the volunteers in question return to this town, because considerable excitement has been produced among the people by the sad news that they will again be at the mercy of evil doers.

Yours, respectfully,

EULOGIO BETILA,
Presidente Municipal (Mayor).

DAO, *October 27, 1901.*

THE CIVIL GOVERNOR PROVINCE OF ANTIQUE,

San Jose de Buenavista.

SIR: We have the sentiment of informing you that when the American soldiers of this detachment left this morning they took away the telephone, which is of the greatest importance for a good regimen of the government of the province and to direct in the best way an administration economical to the public; moreover, we feel the lack of an American teacher who could instruct and teach the children of both sexes. We wish that the government of this province would protect us to promote prosperity and future progress, especially as this town is poor and the municipal treasury has not sufficient funds to pay an

American teacher. The public requests our respectable government to return the telephone and to facilitate one of those soldiers, in the meantime Private Clarence Perry, who is capable and active to teach the children of both sexes.

This I communicate, etc.,

FORTUNATO ABUERA,
Acting President.

DUMANGAS, *August 13, 1901.*

Mr. W. H. GORDON,

Captain, Eighteenth Infantry, Commanding, Pototan.

SEÑOR: In the session of the municipal council of this city of Dumangas, held the 11th of August of the present year, it was resolved, among other things which were assented to by the president, that a detachment to garrison the locality should be solicited from your headquarters if it were deemed meet; the city meanwhile not having at its disposal the armed force solicited from the governor of the province, as is now shown by the petition in the name of the said council of the city; which detachment, during its residence in this city, which will be until the force armed, requesting provisions from the government has been provided, will be cared for by the people, for which purpose Señor Gregorio de la Pena, the municipal treasurer, has been commissioned to lay before you the motives which move the municipal authorities to arrange for the indicated detachment.

The official employed by the city of Dumangas, at this time commissioned by the same to request from your headquarters a detachment, manifests the principal reasons for which the city desires said detachment.

First. To avoid that people of bad repute and prosecuted by the government should be harbored in their midst.

Second. To avoid any suspicion against the city if, perchance, the said persons gain entrance, the city, on account of a lack of force, not being able to prevent them.

Third. Because without the American detachment certain principal citizens who at present are in other places can not venture to return to Dumangas, for the reason that they fear the city has not sufficient force to thwart the evil plans of those persons having bad intentions. These are the principal motives.

GREG. DE LA PENA.

DUMANGAS, PANAY, P. I., *October 6, 1901.*

Salas, Quintin, Presidente, reports that Venancio Teilano, teniente of barrio of Calao, represents that he (Teilano) was attacked in his house on the night of October 5 by about 12 men armed with bolos; that he was beaten and otherwise maltreated by said highwaymen, and robbed of clothing and other property to the value of 40 pesos. The presidente therefore requests that a detachment of soldiers be sent to assist in making investigation and for the protection of the community.

second indorsement.

HEADQUARTERS DEPARTMENT OF THE VISAYAS.

Iloilo, P. I., October 11, 1901

Respectfully referred to the commanding officer, Pototan, Panay, P. I. Paragraphs 1 and 4, General Orders, No. 179, current series.

Headquarters Division of the Philippines, prohibits the use of the troops in such cases. However, the local constabulary officer has been advised and he says he will send out a detachment.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Assistant Adjutant-General.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[First Indorsement.]

POTOTAN, ILOILO, PROVINCE PANAY, P. I.,
August 15, 1901.

Respectfully forwarded to the adjutant-general, Department of the Visayas, recommending that the request for a detachment of soldiers in Dumangas be granted, and that I be authorized to make the necessary details from this post and the substation Barotoc-Nuevo.

From my personal inspections and visits to Dumangas and the other pueblos of the subdistrict I am convinced that those pueblos are displaying most energy and the people are working most where the presence of our soldiers seem to offer most protection, and without any near garrison of troops I believe that its recovery from the effects of the war is being greatly retarded.

This, I think, will be gradually changed when protection is offered, and that then the people of means who have property there will return and proceed to work and develop same, which they are not doing to any large extent at present.

Attention in this communication is respectfully invited to the statement of Señor Gregorio de la Pena, the municipal treasurer, herewith.

The old barracks in Dumangas, the present municipal building, will be placed at the disposition of the commanding officer for the use of troops, or another house if preferred.

W. H. GORDON,
Captain, Eighteenth Infantry, Commanding.

[Second Indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., August 19, 1901.

Respectfully forwarded to the field adjutant-general, Department of the Visayas, requesting an expression of the views of the department commander.

By command of Brigadier-General Hughes:

C. J. CRANE,
Major, United States Infantry, Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS DEPT. OF THE VISAYAS, IN THE FIELD,
Calbayog, Samar, P. I., September 12, 1901.

Respectfully returned to the adjutant-general, Department of the Visayas.

The department commander remarks:

If the situation requires troops, send them; if it would only advance private interests, do not send them.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Captain, Third United States Infantry,
Adjutant-General in the Field.

FIRST LIEUTENANT COMMANDING

AMERICAN DETACHMENT AT MANAPLA:

We, the undersigned farmers and citizens of the town of Victoria, have the honor to request the following: Having heard that Sergt. Emanuel Ziegler and Corpl. J. William Jenny, of the American forces under his distinguished command detached to this locality, will, by superior orders, be transferred to another town. If this information is true, we earnestly request that they be not relieved, for they have found out the ways of evil doers without the necessity of a spy.

Before coming to this locality the above-mentioned sergeant and corporal have encountered evil doers in various parts of this jurisdiction, and it is due only for the activity of these that there were no damages, they having completely disappeared, this being the cause of the present tranquillity enjoyed by the peaceful inhabitants, principally the farmers who give themselves up to agriculture, and the mentioned sergeant and corporal have not given themselves up to abuse and still less have allowed it to their subordinates.

The corporal knows already Castilian and teaches the English language to the children of the school of public instruction when his service allows him, the city being thankful for the services rendered by the same and the conduct observed by them.

We humbly request that you allow that the above-mentioned sergeant and corporal continue to render their services in this locality. It is a favor which we do not doubt to receive from your magnanimous heart; may God keep you long years for the well-being of the inhabitants of this town.

JUAN AVIEZ.
(And 38 others.)

VICTORIA, *December 25, 1900.*

HEADQUARTERS DEPARTMENT OF THE VISAYAS.

Iloilo, Panay, P. I., February 3, 1901.

[Telegram.]

The COMMANDING OFFICER FOURTH DISTRICT,

DEPARTMENT OF THE VISAYAS,

Jaro, Panay, P. I.

Department commander requests to be informed if it would be practicable to send a detachment of 10 men to Tubungan from Miago.

people wish to reorganize the pueblo, and they tell me they can do so until a detachment push them on their feet so that they can protect themselves.

NOBLE,
Acting Adjutant-General.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Telegram.]

UNITED STATES SIGNAL CORPS,
Jaro, Panay, February 25, 1902. (Received 11 a. m.)

ADJUTANT POST OF ILOILO,
Iloilo, Panay.

No petition received for retention of troops at this station.

HUSTON, *Lieutenant.*

HEADQUARTERS TROOP E, TENTH CAVALRY,
OFFICE OF THE SURGEON,
Jaro, Iloilo Province, Panay, P. I., February 15, 1902.

ADJUTANT, *Iloilo, Panay, P. I.*

SIR: In answer to copy of cablegram from the adjutant-general division of the Philippines, Manila, P. I., dated February 10, 1902, I have the honor to report that I have no record of any such petitions.
Very respectfully,

S. D. HUNTINGTON,
*Captain and Assistant Surgeon,
United States Volunteers, Surgeon.*

COMPANY D, SIXTH INFANTRY,
San Augustin Barracks, Iloilo, P. I., February 17, 1902.

ADJUTANT POST OF ILOILO,
Panay, P. I.

SIR: In reply to official copy of telegram dated Headquarters Fifth Infantry Brigade, February 11, 1902, I have the honor to report that no petition of retention has been received by me.
Very respectfully,

H. G. STAHL,
Second Lieutenant, Sixth Infantry, Commanding Company D.

I certify that Company I, Sixth Infantry, was stationed at Colasi, Province of Antique, Panay, P. I., from February 14, 1901, until August 17, 1901, and that detachments from the company occupied the sub-stations; that when the company was ordered to Iloilo in

August, 1901, these detachments were drawn into company headquarters. The substations were as follows:

At Pandan, Panay, 25 men, relieved August 14, 1901; at Sebaste, Panay, 7 men, relieved August 14, 1901; at Bacalan, Panay, 7 men, relieved August 14, 1901; at Bidaton, Panay, 7 men, relieved August 14, 1901; at Tibiao, 7 men, relieved August 14, 1901.

The native officials of these different towns came to me and personally petitioned me to allow my soldiers to remain among them. The presidente and every official of the town of Colasi, the company's headquarters, came to me and asked leave to petition the department commander to allow the company to remain here. I explained to them the uselessness of such a petition, and as a consequence it was not made.

I further certify that I have never had occasion to punish men for abusing natives, but I have had much difficulty in forcing men to be more cautious in trusting the natives; the trouble with our men being that they are too ready to give a generous friendship to every Filipino who shows them his ever-present smile and who offers them his always treacherous hand.

Very respectfully,

H. A. HANIGAN.

First Lieutenant Sixth Infantry, Commanding Company I.

HQRS. COMPANY M, SIXTH UNITED STATES INFANTRY,
Iloilo, Panay, P. I., February 19, 1902.

The ADJUTANT, POST OF ILOILO,
Iloilo, Panay, P. I.

SIR: In compliance with instructions from your office, I have the honor to forward herewith inclosed one copy of petition of the citizens of Victorias, Negros, for retention of noncommissioned officers of detachment; one extract copy of record of petition of citizens of San Miguel, Panay, P. I., for retention of Corpl. Fred W. Jenny and detachment at San Miguel; also my certificate of verbal petitions for retention of detachments.

Very respectfully,

JAMES V. HEIDT.

First Lieutenant, Sixth Infantry, Commanding Company M.

HQRS. COMPANY M, SIXTH UNITED STATES INFANTRY,
Iloilo, Panay, P. I., February 19, 1902.

I hereby certify that about the time notice of receipt of order for Company M, Sixth Infantry, to change station from the outlying towns of Iloilo Province to the town of Iloilo, in August, 1901, official committees urgently requested verbally, in the names of the people of their respective pueblos, the retention of detachments of this company in their respective pueblos, and stated that the relations between the people of the pueblos and the soldiers were most cordial, and that the conduct of the several detachments was excellent, viz:

an Joaquin, Panay, P. I.; Miagao, Panay, P. I.; Guimbal, Panay, P. I.; Igbarras, Panay, P. I.; Tubungan, Panay, P. I.; Tigbauan, Panay, P. I.; Oton, Panay, P. I.; San Miguel, Panay, P. I.; Alimodian, Panay, P. I.; Maasin, Panay, P. I.

JAMES V. HEIDT,
First Lieutenant, Sixth Infantry, Commanding Company M.

SAN MIGUEL, PANAY, P. I., *August, 1901.*

Citizens of San Miguel request retention of Corporal Jenny, Company M. Sixth Infantry, and detachment of Company M, Sixth Infantry, serving at San Miguel.

True extract copy.

JAMES V. HEIDT,
First Lieutenant, Sixth Infantry, Commanding Company M.

LIEUTENANT COMMANDING THE POST OF LEON:

I have the honor to address this to inform you that it has come to my knowledge that the soldiers stationed in this town who were under your able command and who live in the convent situated in the plaza should be moved to a private house by order of superior authority, and it is the desire of the corporal in command to move to a house situated some little distance to the south of the plaza, and in view of the fact that this pueblo is exposed to the ladrones, if this transfer occurs it will produce great discontent, apprehension, and fear among the inhabitants because of the ladrones, I beg and adjure you in the name of the councilors and prominent men of the town that the police be armed with rifles, and [as] there is no priest living [in the convent] that the soldiers be not moved to the house mentioned.

ANTONIO ESTRELIA,
Presidente Municipal.

IGBARRAS, *June 28, 1901.*

[First Indorsement.]

LEON, ILOILO, PANAY, P. I., *June 29, 1901.*

Respectfully forwarded to the adjutant-general, inviting attention to this communication. Satisfactory quarters, outside the convent, cannot be hired at Igbarras. The convent there is excellent quarters. The presidente, in a conversation with me, stated the town would assume the responsibility for rent of convent should the claim ever be made. It is believed that the council would join in signing such an agreement, as the town is very desirous that the troops remain in their present quarters at Igbarras.

JAMES V. HEIDT,
First Lieutenant, Sixth Infantry, Commanding.

General HUGHES, *Iloilo*:

We, the undersigned, well-to-do and prominent citizens of the town of Taninay, have respectfully to state the following:

Being about to make a public demonstration of our deep-felt gratitude toward Captain Boardman, we feel it our duty, now that the reputation of this gentleman is at stake, to save his good name by asking at the same time that he be kept in the post which he has held so much to the honor of the Army and the welfare of the town.

Do not forget, sir, that this town was exposed, owing to its topographical situation, to the incursions of the revolutionists, who formerly swarmed at the points under his jurisdiction, and this abnormal circumstance, which might have continued even while his company was garrisoning the place, was restrained to as great an extent as time permitted his tact and prudence to display the beneficent influence of their excellent qualities.

Having succeeded in restraining his soldiers within the bounds of rigorous discipline, he has gained the good feelings and confidence of the whole town. If the town to-day enjoys an enviable degree of tranquillity and the inhabitants of other towns have been induced to take up their residence within its borders, the fact is due more than anything else to the well-known magnanimity of the captain, who, being the personification of his duty, takes great pains and suffers all manner of privations in order to bring benefit to this town.

These sacrifices, which we might relate in detail were we not afraid of tiring you, show plainly the good aims which animated him in order to win over to his country this small portion of the islands which happened to fall under his command.

And now that the light of peace is dawning, we should hate to see this gentleman leave us until peace is definitely established, for he has comported himself in so noble and generous a manner with respect to the town that we have come to hope for a peaceable settlement of matters. In view of what has been said and the fact that there are good prospects of peace which will terminate the great calamities which have happened to these islands, we have no doubt that in your magnanimity, which you have even shown to rebels, you will favorably receive these prayers which we are addressing to you as a favor for this town and in justice to the captain in command of the detachment at this place.

FRANCISCO ANIDO.
(And 45 others.)

TANINAY, *January 10, 1901.*

THE COMMANDER OF THE AMERICAN FORCES IN THIS DISTRICT:

I, the undersigned, presidente municipal (mayor), have the honor to inform you that on the 19th of this month the American detachment at this place left to assemble at Iloilo, so that this town remains without defense, owing to the fact that the police are without firearms. Therefore, as we are in absolute need of defense and security, I, in accordance with a resolution passed by the municipal council of this town, hereby beg of you to furnish this town with adequate protection by sending a detachment here for that purpose.

God save you many years.

TOMAS GUSTILO

LEGANES, *May 21, 1901.*

[Third indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
OFFICE OF THE ORDNANCE OFFICER,
Iloilo, P. I., August 22, 1901.

Respectfully returned to the adjutant-general, Department of the Visayas. This paper and others has been held pending action of the department commander. Under recent orders of the division commander no arms are available for this town.

W. H. SIMONS,
Captain, Sixth Infantry, Ordnance Officer.

LEON, PANAY, P. I., *February 26, 1902.*

HON. GILBERT N. BRINK,

Superintendent of Schools for Panay, Iloilo, Panay.

DEAR SIR: Within the last day or two I have heard many ladrones reports and rumors regarding this town, and I felt that I ought to report the matter to you, as I understand it.

For some time I have been hearing of various small bands of ladrones operating in this vicinity and one or two men have been shot or boloed within a mile or two of here, but I had given the matter no serious consideration, though several of the most prominent people here have assured me that they were going to move to some other town, but I had the idea that one American well armed was good for a dozen ladrones and merely laughed at their fears, but now there seems to be a little something about it which looks serious.

It seems that troops have been in this town for a long time, and many scouts from here have helped the Americans against the insurrectos, thus arousing the hostility of the ladrones against this town, which they did not dare to bother while the troops were here, but now the troops are going away they seem to think they have opportunity to get even.

Some people here in town have evidently mistrusted this feeling for some time, and have had spies getting information as to the intentions of the ladrones, and last night I was acquainted with the reports of the agents of the people here. And while personally I know very little about it—and I am not authorized to divulge any names of the informant—I have no doubt that their information is rather more reliable than the usual native information, for the reports were made by men who were experienced scouts for the American troops and men who proved trustworthy informants for the troops, I am told.

The ladrones have sent in letters stating that they were coming in, and before the American soldiers had been out of here two weeks they were going to burn the town and cut off the heads of the Americans and several well-known ex-scouts here who had informed against them. Furthermore, these spies inform us that the various ladrone bands of this district have been organized for the purpose of wiping this town out of existence. They say that the force as now organized consists of about 300 men; that 50 of these are armed with guns, of which about 20 are modern rifles in good condition, and the rest are armed with bolos and spears. But what makes the matter worse, these men are officered with ex-insurrecto officers who, on account of having

committed crimes for which they expected to suffer, if taken, had not surrendered. These men are said to have the ladrones well in hand, and as they have been under fire and know a little something about fighting it makes an ugly sort of a proposition.

Most of the people here in town, I find, are somewhat nervous, and some of the more prominent have been to a man by the name of Sullivan, who owns a plantation about 2 miles from here, and who was one of the shrewdest sergeants in the Twenty-sixth Regiment, a company of which was here for a long time. It seems that they wish him to organize a police force here, and he had a talk with me about it. He is, perhaps, as well acquainted with this island as any American here, as he speaks the language fluently and has fought all over this province. He frankly told me that he thought it an ugly proposition to deal with. But, he said, to protect his property here, if he could have free swing in organizing a police force and could be appointed captain of the police and myself lieutenant, so that we could have absolute control of the force, even to shooting a man if he did not obey orders to the letter, he thought he could pick out twelve men from his old force of scouts whom he could depend on, and he thought we could protect the town all right.

His idea was that he and I were to serve without charge, and merely because he thought that was the only way in which the town could be protected. He said that if I did not accept the proposition he, while he was not "coldfooted," would get out of the town, leaving his property here, which, by the way, is worth several hundred dollars, as he thought more of his head than he did of his property.

I told Mr. Sullivan that while I appreciated what he had said I could do nothing without consulting you. Now, of course, if I should accept the office of lieutenant of police I at once render myself liable to be called on to go out to protect any barrio in the neighborhood from ladrones, and it might now and then interfere with my school duties, and I could not do anything to interfere with them without your consent and approval. But under the circumstances I would prefer that you would either approve this or grant me some other location if possible for next year.

I suppose you have wondered why we did not have some constabulary to solve the problem. Well, to tell the truth, none here has much confidence in the constabulary. Of course, if there was a large force under an American inspector that might solve the problem; but, I think, a small force here acting for themselves would be worse than useless.

To show you what faith some of the men who have been warned that they would be killed had, I will say that they have made all arrangements to burn their houses when the troops leave and get out.

There, I have explained the matter and leave it to you to decide what you think best. I am ready to stay here or to move wherever you may wish, though I would prefer to finish my year here, as I don't like to be driven out of the town before the year is up unless the town is burned.

If you should decide to make any change for me next year, I would like, if possible, or rather if convenient, to be moved into some town on the coast, or only a few miles from Iloilo, and where I could get in readily with a team; for if I could be placed in a suitable town my fiancée would like to come out here if the health of her parents will

permit, and if she should come I think she would prefer to teach if you could give her a chance.

Well, it is almost school time, and I must close.

Very truly,

FERNALD D. SAWYER,
Leon, Panay.

[First indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., February 28, 1902.

Respectfully referred to the inspector-general of the brigade for remark, in view of his recent visit to Leon.

By order of Colonel Snyder:

ROBERT H. NOBLE,
Captain, Third United States Infantry,
Adjutant-General.

[Second indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
OFFICE OF THE INSPECTOR-GENERAL,
Iloilo, P. I., February 28, 1902.

Respectfully returned to the adjutant-general of the brigade, with the following remarks:

I inspected the troops stationed at Leon on the 23d instant. In the evening I was called upon by the presidente of the pueblo and the town officials and principal residents, who represented to me the danger of removing all the troops from the town, on account of the large number of ladrones and their being well armed, whereas the town police of 11 men had only revolvers.

They requested that I do what I could to have some American troops kept there. There was no constabulary there, and the visitors did not seem to want them there or have much faith in them.

I respectfully recommend that about 15 native scouts, under an officer or a reliable noncommissioned officer, be kept there after the troops leave, until such time as a good police force can be armed and organized or the constabulary take station there.

F. WEST,
Major of Cavalry, Inspector-General.

POTOTAN, PANAY, P. I., *February 24, 1902.*

ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I.

SIR: Compliance with telegraphic instructions dated February 11, 1902, concerning report of misconduct of troops, and that the various pueblos desire their withdrawal, I am prepared to say that such statement is utterly false, and the following pueblos, Pototan, Dingle, Passi, and Barotac Nuevo, not only are satisfied with the conduct of the troops, but have in each case verbally requested they be retained when withdrawn, Pototan excepted. That the presence of an armed military or other force is necessary is indisputable, and numerous cases of outlawry are reported in localities where there is no military force and in which such was not the case while a detachment was stationed there.

From the inclosed papers an idea may be gathered of the great desire (they claim a necessity) the pueblo of Dumangas has for some military or other force to preserve the peace and quiet of the municipality, and this condition may be said to exist in nearly every pueblo not garrisoned by a military force; the presence alone, though no active part is taken by them in any disturbance, has the effect of preserving order. Further information will be forwarded as it is collected.

Very respectfully,

GEORGE J. ODEN,
First Lieutenant, Tenth United States Cavalry, Commanding.

UNITED STATES SIGNAL CORPS,
Iloilo, February 11.

COMMANDING OFFICER, *Pototan*:

Following telegram has been received and should be circulated among all officers:

MANILA, *February 10.*

COMMANDING GENERAL FIFTH SEPARATE BRIGADE, *Iloilo*:

Following cablegram received from Washington: To refute statements of misconduct of troops toward natives in Philippine Islands, Secretary of War Root directs petition of retention of commanders of various organizations and any information within the knowledge of any officer on these islands will be wired here. Any applications that have not been forwarded will be forwarded at once.

By order of Colonel Snyder:

NOBLE,
Adjutant-General's Office.

A true copy.

GEORGE J. ODEN,
First Lieutenant, Tenth United States Cavalry.

DUMANGAS, *February 9, 1902.*

COMMANDING OFFICER OF THE MILITARY DISTRICT, POTOTAN.

SIR: The municipal police corps to-night has been informed armed malefactors entered this town. A search was made without avail, but suburb Barong, comprised in this town, assault, house Fridoro Divino, malefactors robbing three buffaloes.

On account of this, council extraordinary session this date, decided to ask auxiliary forces (auxilio) detachment Pototan.

Council expects to-night auxiliary forces necessary for tranquillity of inhabitants.

Yours, respectfully,

MARIANO DAJOR (?),
Acting Presidente Municipal.

POTOTAN, *February 10, 1902.*

LIEUTENANT, TENTH CAVALRY,

Commanding Officer Dumangas.

SIR: This "presidencia" has received telegram dated to-day, and in compliance therewith I have the honor to inform you that a telegram communication was directed yesterday to the civil government of Iloilo asking assistance for the defense of the town and tranquillity of the inhabitants, owing to the events occurring in this town.

The mayor (presidente municipal) of B. Nuevao (Barotac Nuevo?) has informed that said communication had been transmitted to the telegraph office of the town.

Yours, very respectfully,

MARIANO DALOB (?).

DUMANGAS, *January 6, 1903.*

COMMANDING OFFICER OF THE MILITARY DISTRICT POTOTAN.

SIR: The municipal council in ordinary session held yesterday adopted, among other matters, the following resolutions: "The presidente (mayor) made a report to the council concerning the events of 31 instant taking place in the evening of said date, and relating to the treacherous murder of Cosme Doropan; seven wounds had been inflicted, two of which were mortal, and to the disappearance of the latter's companion, Francisco Delicano, which resulted in the discovery yesterday, at the place named Buang and comprised in this municipality, of his body, with bound hands and two mortal wounds in the neck, traversing the neck from one side to another; and as the act was supposedly perpetrated by men of wicked intention, a disorder might spread in the town; besides (a report was made concerning) the various assaults occurring in this town, furthermore, it was submitted to the council to decide in what manner the abuses can be eradicated, for without means of protection or elements of defense it is impossible to stop the abuses unless the proper authorities accord to the town means for supplying it with rifles or garrisoning it with detachment, to which the local authorities could apply when necessary.

"After hearing this and after a lengthy discussion the council decided to refer the matter to the junta provincial (provincial board) in order that, having at hand data from this presidency (mayor's office) with regard to the various assaults and to the present case, which have occurred in this town, and the petition drawn by the municipal council and inhabitants, said provincial junta decide upon the action to be taken in the town, literally devoid of the necessary protection and in a lamentable state of despair owing to lack of any protection to its interests and families, on account of which the town can not pursue any work in the fields, for want of personal security, and because the town has exhausted the means within its powers for eradicating said abuses; also to ask of said junta provincial to inform the town concerning the means to be used for the peace and tranquillity; this notwithstanding as the last recourse of defense, guards and patrols shall be organized in the suburbs and the limits of the city while the decision of the junta provincial (provincial board) is pending; this, however, not interfering with the sending of a copy of the present resolutions with a statement of the council and of the people to the civil government of the province, reiterating the petitions which were made and the incidents which had occurred before the date."

I have the honor to transcribe the foregoing in order that the position of the council may come to your knowledge and have proper effect.

Very respectfully,

(Illegible signature.)
Presidente Municipal (Mayor).

CABATUAN, PANAY, P. I., *January 19, 1902.*

ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, P. I.:

Presidente and local council of the town of Cabatuan respectfully pray: That having heard by public rumor that the American detachment of that locality will soon be removed, and as they have not yet sufficient armed police in the town, that they are afraid of being attacked by ladrones, for which reason they earnestly request you not to remove the said detachment from their town, neither the commanding officer, Lieutenant Seemann, Philippine scouts, who has great sympathy in that town.

SINFOROSA ZARAGOSA,
Local Presidente.

[First indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., January 23, 1902.

Respectfully referred to the provincial governor, province of Iloilo, Iloilo, Panay, P. I., through whom this communication should have been sent, with the information that the detachment will be withdrawn in accordance with the wishes of the civil governor of the Philippines, as expressed to the military governor of the Philippines.

By order of Colonel Snyder:

ROBERT H. NOBLE,
Captain, Third Infantry, Adjutant-General.

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., January 23, 1902.

The PRESIDENTE AND COUNCILORS,
Cabatuan, Panay, P. I.:

The brigade commander directs me to express to you his thanks for your kind letter of the 19th instant in reference to the withdrawal of the American troops from Cabatuan, and to say that the detachment will be withdrawn in accordance with the wishes of the civil governor of the Philippines, as expressed to the military governor. He is also much pleased that the services of Lieutenant Seemann are appreciated, as stated in your letter.

Very respectfully,

ROBERT H. NOBLE,
Captain, Third Infantry, Adjutant-General.

[Telegram.]

TAGBILARAN, BOHOL, P. I.,
February 15, 1902.

ADJUTANT-GENERAL, *Iloilo, Panay:*

No applications on file for retention of garrisons or officers by inhabitants. Citizens of Ubay have requested me to keep garrisons there, and sometime ago Calape asked for troops. I was informed

Some time ago that a petition had been sent requesting that I be retained when General Hughes thought of abandoning Tagbilaran. I had numerous verbal applications for retention of troops.

WOODBURY,
Major, Nineteenth Infantry, Commanding.

[Telegram.]

TAGBILARAN, BOHOL, P. I.,
February 15, 1902.

ADJUTANT-GENERAL, Iloilo, P. I.:

In May and June last had verbal applications from Calape for troops, and under date of July 29, 1901, a written application signed by municipal council. From Ubay several verbal applications, last one February 2, 1902. Verbal protests against troops leaving Tagbilaran about October 20, 1901. Have had numerous requests received here as commanding officer, last one about January 20, 1902. Urged several times that I permit my name to go in as candidate for governor, last one about January 25, 1902.

WOODBURY,
Major, Nineteenth Infantry, Commanding Post.

POST OF TAGBILARAN,
Tagbilaran, Bohol, P. I., February 15, 1902.

ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: Having sent a telegram in answer to your cable of the 11th instant, I have not very much to add.

The pueblo of Calape have made numerous requests for troops since April last. Some verbal, some to the civil governor, on the strength of which he has requested the troops asked for. I inclose one sent me dated July 29, 1901, signed by the municipal council. The people of Ubay have frequently made verbal requests for troops, the last one made about February 2, 1902, hoping that troops would be kept there. When General Hughes spoke of removing troops from Tagbilaran, about November 5, 1901, I had a good many verbal applications that troops be retained. Also at Loay, about October 20, 1901, verbal requests came that troops be again stationed there, the garrison, Company K, Nineteenth Infantry, having been moved to Zolac, 3 miles distant, about six months previous.

I inclose letter from governor on the subject of my retention. In mentioning my own name I only do so with the understanding that it is a question of the attitude of the people toward United States troops and officers. I have had numerous requests since February 8, 1901, from citizens that I permit them to forward petitions that I be retained here as commanding officer. I have always refused my sanction. The last one was about January 20, 1902. I have also been requested several times to permit my name to go before the convention as governor, which I have always refused, although I knew that it was the desire of nearly all the convention. The last request was made about January 20, 1902. I have sent your telegram to other

officers, but have received no answers; but I am cognizant of the situation, and there are no papers on file for the retention of any garrison or any officer by any pueblo except the inclosed.

Very respectfully,

T. C. WOODBURY,
Major, Nineteenth Infantry, Commanding.

NOTE: The letter of the governor was not signed, so I did not inclose it.

[Telegram.]

CEBU, CEBU, P. I., *February 20, 1902.*

NOBLE, *Iloilo:*

Carcar was vacated June 26 last, and on petition of presidente and council, garrison returned the following month. Sibonga was abandoned January 17 last; the presidente has requested that it be regarrisoned. Alegia was abandoned March 15, 1901; all municipal officials protested against this, and some left the town with the troops. On abandonment of Mandano by troops the presidente and committee of the city council personally requested that town be reoccupied. Careful search made in records of post and district, but no petition on file. Petitions have generally been made by municipal officers in person.

HUSTON.

DUMANJUG, CEBU, *February 1, 1901.*

Citizens of Dumanjug, Cebu, petition the military governor for the retention of Major McCoy, Forty-fourth Infantry, in that section.

[First indorsement.]

HEADQUARTERS SECOND DISTRICT,
DEPARTMENT OF THE VISAYAS,
Cebu, Cebu, P. I., February 24, 1901.

Forwarded to secretary military governor in the Philippine Islands through military channels. The inclosed communication was sent to me with the request that it be forwarded. Major McCoy's services have been excellent and he has a strong hold on the affections of the people in Dumanjug, and I believe he has won the respect, at least, of the great mass of the natives on the west coast of Cebu.

E. J. McCLEARNAND,
Colonel Forty-fourth Infantry, U. S. Volunteers, Commanding.

BACOLOD, NEGROS, P. I., *May 14, 1901.*

CIVIL GOVERNOR:

Valentin Obregon and Ygnacio Chaves, presidente and military chief, respectively, of the pueblo of Abuanan, in the name and representation of the pueblo, have the honor of stating to your excellency as follows:

That being informed that in the woods near by this pueblo of Abuanan there exists a numerous group of gang robbers who proper

to plunder the pueblos and to reduce to ashes all the houses existing at the same, the residents had to take refuge in various pueblos in which there is a detachment of American or insular troops, having the pueblo itself deserted on account of having no arms with which to resist an invasion.

The good reputation of the pueblo of Aubuanan having been for some time falsely asserted by some of its inhabitants, who up to the present have not been able to prove their statements, we have to-day the honor of stating same to your excellency and imploring even though only a small detachment of American soldiers, in order that with them we may be enabled to pursue and, if possible, exterminate these disturbing elements of the peace.

Favor and justice we beg for, wishing you health and fraternity.

VALENTIN OBREGON.
YGNACIO CHAVES.

ABUANAN, NEGROS, P. I., *May 21, 1900.*

CIVIL GOVERNOR:

The presidente, council, and their fellow-citizens of the pueblo of Aubuanan, undersigned, of your excellency respectfully, impelled by paternal love, humbly and with one voice implore your excellency to grant the following petition, if considered to be in order:

First. The pueblo of Aubuanan in the majority of its citizens request the continuation as a pueblo and to be obedient to the orders of this government in time, but under existing conditions, situated in the interior of the island close to the Mountain Canlon where frequently dwell bad characters who disturb their peace, tranquillity, and way of being, we with one voice that there be afforded a detachment of armed American troops as a garrison for the security and protection of public and private interests.

Second. That if your government does not pity and does not accept this petition for our security and defense, to order its segregation and detachment to its matrix which is the pueblo of Sumag is our desire, leaving to the just and intelligent judgment of our government to estimate and appreciate this affair.

Third. The most permanent inconveniences which at present afflict the inhabitants are the ravages of the famine with which they are threatened and the want of articles of prime necessity, and all stricken with sorrow, because the pueblo being defenseless no one dares establish themselves for the purchase and sale of said articles for fear of being invaded by these evil doers. For which reason we humbly entreat your excellency will hold as presented this memorial, and, considering the justice of our petition, will be pleased to order what may be deemed most convenient for the good of your subordinates.

Favor and justice we desire to obtain from the paternal benevolence of your excellency, whose life may heaven for many years preserve.

(Twenty-six signatures.)

BACOLOD, NEGROS, P. I., *February 21, 1902.*

SEÑOR Colonel MINER,

Commander of the Post of Bacolod, Bacolod, Negros, P. I.

SIR: By the direction of the junta provincial of Occidental Negros we have the honor of informing your excellency, and the other gentle-

men who took part in the subscription for the lepers at the reception which took place at the military headquarters, post of Bacolod, the province of Occidental Negros, joins in the profound gratitude of the señor municipal president of Bacolod for the great and noble work of charity performed by your excellency and the said gentlemen.

Very respectfully,

L. MORENO,
Secretary, Negros Occidental, P. I.

(Seventy-five dollars subscribed.)

MANILA, October 28, 1901.

L. LOCKSIN,

Provincial Governor, Negros Occidental, P. I.

Having consulted with the commanding officer of the troops and the chief inspector of constabulary of his province in regard to the bands of robbers infesting some parts of the province, especially in the southern part, recommends that the military authorities be authorized to follow up the malefactors whenever it may be necessary. Makes this request with the knowledge and consent of Colonel Miner.

[First indorsement.]

OFFICE OF THE CIVIL GOVERNOR OF THE
PHILIPPINE ISLANDS.

Manila, P. I., November 1, 1901.

Referred to the commanding general and military governor in the Philippine Islands.

WM. H. TAFT, *Civil Governor,*
By A. W. FERGUSON, *Executive Secretary.*

[Second indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES.

Manila, P. I., November 2, 1901.

Referred to the commanding general, Fifth Separate Brigade, Iloilo, Panay, P. I., who is authorized, under this request, to use the military forces of his command to suppress the bands of robbers in the province of Negros referred to. Vigorous action should be adopted, in order that the disorder may be quickly ended. Where possible to secure the assistance of the constabulary as guides and to gather information, it would seem desirable to do so, and prisoners arrested should be delivered to civil courts for trial and punishment.

By command of Major-General Chaffee:

J. T. KERR,
Assistant Adjutant-General.

HEADQUARTERS DEPARTMENT VISAYAS.

Iloilo, Panay, P. I., November 13, 1901.

Official copy furnished the commanding officer, post of Bacolod, Negros, for his information and guidance.

By command of Brigadier-General Hughes

ROBT. H. NOBLE,
Captain, Third United States Infantry.
Acting Assistant Adjutant-General.

BACOLOD, ISLAND OF NEGROS, P. I.,
February 18, 1902.

W. Miner, colonel Sixth United States Infantry, commanding, has true copies of letters from records of headquarters Sixth Infantry, pertaining to the retention of officers and troops.

CASTELLANA, NEGROS, February 11, 1900.
Citizens of Castellana petition to have Lieutenant Nesbitt, Sixth Infantry, retained in Castellana.

[First Indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, February 17, 1901.

Respectfully returned to the commanding officer military subdivision of Negros. The regimental commander is much gratified to learn the citizens of Castellana that Lieutenant Nesbitt has done his duty to their entire satisfaction, but in view of conditions over which he has no control he regrets that at present he can not comply with their request.

C. W. MINER,
Lieutenant-Colonel Sixth Infantry, Commanding.

CASTELLANA, ISLAND OF NEGROS, P. I.,
September 2, 1899.

Don de la Vina asks to have fifteen American soldiers permanently stationed at his hacienda.

[First Indorsement.]

HDQRS. MILITARY SUBDISTRICT ISLAND OF NEGROS,
Bacolod, Negros, P. I., September 7, 1899.

Respectfully referred through commanding officer Sixth Infantry to officer in charge Carlota district, for such action as may be proper.

JAMES F. SMITH,
Brigadier-General, United States Volunteers.

[Second Indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, September 8, 1899.

Respectfully referred to Lieut. Col. Chas. A. Byrne, United States Volunteers, commanding Carlota district. Attention is invited to first indorsement hereon.

Order of Lieutenant-Colonel Miner:

B. A. POORE,
Captain and Adjutant, Sixth Infantry.

GRANADA, NEGROS, P. I., December 30, 1899.
Citizens of Granada request a detachment of American soldiers for protection of their hacienda.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
Bacolod, Negros, P. I., January 2, 1900.

Respectfully forwarded to the commanding officer Sixth United States Infantry.

By command of Brigadier-General Smith.

H. F. DALTON,
First Lieutenant, Nineteenth United States Infantry,
Aid-de-Camp.

GUIJULUGAN, NEGROS, P. I., *December 27, 1899.*

Citizens of Guijulugan request a detachment of American soldiers to protect their lives and property.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
Bacolod, Negros, P. I., January 4, 1900.

Respectfully forwarded to the commanding officer Sixth United States Infantry.

By command of Brigadier-General Smith.

H. F. DALTON,
First Lieutenant, Nineteenth United States Infantry,
Aid-de-Camp.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, P. I., January 6, 1900.

Forwarded to the commanding officer La Carlota district, La Carlota, Negros.

By order of Lieutenant-Colonel Miner:

B. A. POORE,
Captain and Adjutant, Sixth Infantry.

ILOILO, PANAY, P. I., *January 3, 1900.*

Diego de la Vina states that he wishes to return to his hacienda on Negros and requests that a detachment of American soldiers be stationed at Valle Hermosa for his protection.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
Bacolod, Negros, P. I., January 22, 1900.

Respectfully forwarded to the commanding officer Sixth Infantry, for remarks.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, P. I., January 25, 1900.

Respectfully returned to the commanding officer military subdistrict of Negros. In the absence of any reports from commanding

of Company I, Sixth Infantry, who was at San Carlos, respecting the danger to Valle Hermosa, I can not recommend a dispersion of force on east coast of Negros. If Señor de la Vina will send to any person in Oriental Negros information of the whereabouts of these bandits, which he should easily find out, troops will be at once coming to destroy such bands.

C. W. MINER,
Lieutenant-Colonel Sixth Infantry.

LOILO, PANAY, P. I., *January 21, 1900.*

Donatirio, Augustin, requests that a detachment of American soldiers be stationed at his hacienda in Negros.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
Bacolod, Negros, February 13, 1900.

Respectfully referred to Capt. Charles Byrne, Dumaguete, Negros,

MANAPLA, NEGROS, P. I., *January 4, 1900.*

Citizens of Manapla request the retention of Lieutenant Hunt at Manapla.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT,
Bacolod, Negros, P. I., February 8, 1900.

Respectfully referred to the commanding officer, Sixth United States Infantry.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, P. I., February 9, 1900.

Respectfully returned through the commanding officer, military subject of Negros. It is extremely gratifying to the regimental commander to know that Lieutenant Hunt has accomplished so much for the good of Manapla. Inasmuch, however, as Lieutenant Hunt will probably be promoted to captaincy within a few weeks, and ordered to another regiment, and inasmuch as the change of station ordered is to assemble the companies of the same battalion in the La Lota district, it is not deemed advisable to change the plans already made.

C. W. MINER,
Lieutenant-Colonel Sixth U. S. Infantry, Commanding.

SAN CARLOS, NEGROS, P. I., *February 4, 1900.*

The European colony requests that Lieutenant Mulliken be retained in his present post if possible.

[First indorsement.]

HEADQUARTERS MILITARY SUBDISTRICT BACOLOD,
Bacolod, Negros, P. I., February 12, 1900.

Respectfully referred to the commanding officer Sixth United States Infantry.

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, Negros, P. I., February 14, 1900.

Respectfully returned through commanding officer military sub-district of Negros. It is gratifying to the regimental commander to know that Lieutenant Mulliken has accomplished so much for the good of San Carlos, but inasmuch as conditions have arisen which are beyond the control of the regimental commander it is not deemed advisable to change the plans already made.

C. W. MINER,
Lieutenant-Colonel Sixth Infantry, Commanding.

HEADQUARTERS POST OF BACOLOD,
Bacolod, Negros, P. I., March 4, 1902.

The ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I.

SIR: I have the honor to inclose herewith translation of letter received by me this date from the provincial governor Occidental Negros.

It may be of interest in connection with other papers bearing upon the attitude of natives toward officers and troops in Negros forwarded from this office February 24, 1902.

Very respectfully,
 C. W. MINER,
*Colonel Sixth United States Infantry,
 Commanding Regiment and Post of Bacolod.*

OFFICE OF PROVINCIAL GOVERNOR OF OCCIDENTAL NEGROS,
Bacolod, Negros, P. I., March 3, 1902.

The COLONEL SIXTH INFANTRY,
Commandant of the Post of Bacolod, Bacolod, Negros, P. I.

SIR: Having this morning taken possession of the office of provincial governor of Negros Occidental, I take pleasure in sending to you and to all the officers of the United States Army in Occidental Negros my most affectionate salutation.

In the first period of my governorship the United States Army in this province gave me its cooperation, for which, in the name of the provincial government, of the inhabitants of Occidental Negros, and in my own, I gladly take advantage of this occasion to extend to you and to your worthy officers our gratitude.

In this new period of my administration I beg that this aid may continue to be given to the provincial government which, as announcement of its purpose, will confine its attention to the tranquillity and prosperity of this province; which are the same objects of the Government.

nited States in the Philippines, to which the civil officers will
 ct their steps, counting upon the cooperation of the military,
 d that they may travel hand in hand toward the same goal and
 ellowship as members of one and the same government.
 ave the honor to be, sir, yours, very respectfully,
 of province.]

LEANDRO LOCSIN Y RAMA,
Governor Negros Occidental.

ranslation.

B. A. POORE,
Captain and Adjutant, Sixth Infantry.

POST OF BACOLOD,
Bacolod, Negros, February 24, 1902.

Col. C. W., commanding post, forwards communications
 inhabitants of the island of Negros, relative to requests made
 tention of troops and officers of the United States Army.

[First Indorsement.]

HEADQUARTERS POST OF BACOLOD,
Bacolod, Negros, February 24, 1902.

fully forwarded to the adjutant-general, Fifth Separate

The inclosed papers are but a few of the testimonials to the
 duct of officers and troops in Negros. There has hardly been
 of station ordered in Negros without a delegation appearing
 r a revocation of the order on account of their confidence in
 rs or troops about to be relieved.

ny cases these delegations have presented petitions in writing,
 re handed back to them and no record made. I have yet to
 ny cases of oppression of the natives by officers or enlisted
 ne army.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

[Telegram.]

SAN CARLOS, NEGROS, *January 24, 1901.*

POORE, *Bacolod, Negros:*

ng that the American detachment will soon be withdrawn
 town, we beg of you, hacenderos and merchants, that it be
 in view of important interests that are here. The moral effect
 ce of troops in this town is very great, and the guaranty of
 tranquillity.

of merchants and hacenderos.

GAMBOA.

n of citizens of Abuanan, Negros, for a station of American
 native troops.

[First indorsement.]

HEADQUARTERS THIRD DISTRICT,
DEPARTMENT OF THE VISAYAS,
Bacolod, Negros, May 31, 1900.

Respectfully referred to the commanding officer Sixth Infantry.
By Command of Brigadier-General Smith:

H. F. DALTON,
First Lieutenant, Nineteenth Infantry, Adjutant-General

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, May 31, 1901.

Respectfully returned. I can not see that Abuanan has any strategic value, and I am much averse to further dispersion of the troops in this island, particularly as the wet season is approaching. To keep small detachments at unimportant places, merely because the citizens desire the presence of the troops, would be to invite disaster in case of an uprising. It would be a far better measure, and more economical, to concentrate the troops at such places and in such numbers as to be able to strike quickly and with effect. My conversations with the district commander have led me to believe that he is in accord with the measure of concentration.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

BACOLOD, NEGROS, *July 17, 1901.*

De Luzuriago, José R. forwards petitions for the retention of Major Byrne as subdistrict commander at Valladolid.

[First indorsement.]

HEADQUARTERS THIRD DISTRICT,
DEPARTMENT OF THE VISAYAS,
Bacolod, Negros, July 23, 1901.

Respectfully forwarded to the Adjutant-General, Department of the Visayas. I heartily concur in the recommendation of the provincial governor, and trust that Major Byrne may be retained in his present command, where his services have been of the greatest assistance to me. He has the entire confidence of the people of his subdistrict, which takes in the country on the west coast south of Bago. His mere presence will keep down the lawbreaking element, as he is much feared by them. In case it becomes necessary to relieve Major Byrne I request that Capt. L. W. V. Kennon, Sixth Infantry, be sent to Valladolid to exercise this most important command in the island of Negros, as I consider him best equipped for the duty of any officer with the Sixth Infantry.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

[Second indorsement.]

HDQRS. DEPT. OF THE VISAYAS, IN THE FIELD,
Calbayog, Samar, P. I., August 4, 1901.

respectfully returned to the commanding officer third district,
 Department of the Visayas. The department commander remarks:

When Colonel Byrne is ordered away the regimental commander can assign Cap-
 tain Cannon, if it is his battalion that is left in Negros.

Under command of Brigadier-General Hughes:

ROBERT H. NOBLE,
*Captain, Third United States Infantry,
 Adjutant-General in the Field.*

CABANCALAN, NEGROS, *January 13, 1900.*

Citizens of Cabancalan request that a detachment of American
 soldiers be sent for protection.

[First indorsement.]

HEADQUARTERS LA CARLOTA, SUBDISTRICT OF NEGROS,
La Carlota, Negros, P. I., October 27, 1900.

Respectfully forwarded to the adjutant Sixth Infantry. I could
 possibly spare any American soldiers for Cabancalan. There are
 16 of the native reserve there. Those Guansons are the main
 cause of discontent there, I believe, as the people are very much
 afraid of them. If they can be suppressed, I think the town will be
 happy and satisfied.

B. A. BYRNE,
*Lieutenant-Colonel Thirtieth Infantry,
 United States Volunteers, Commanding.*

[Second indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY,
Bacolod, November 3, 1900.

Respectfully forwarded to the adjutant-general third district, Depart-
 ment of the Visayas.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

GRANADA, NEGROS, P. I., *December 31, 1900.*

Residente, Granada, states citizens are grateful for detachment sent
 to Granada.

ISABELA, NEGROS, P. I., *January 13, 1902.*

(Twenty-one signatures.) Request that a mounted detachment be
 stationed at Isabela for the purpose of patrolling that district.

[First indorsement.]

VALLADOLID, NEGROS, P. I., *January 23, 1902.*

Respectfully forwarded, approved so far as the request relates to mounting a detachment at Isabela for the purpose of patrolling the district.

In this connection it may be remarked that the recent successful pursuit and punishment of the band of insurgents which burned the hacienda Alcante near Isabela would have been impossible had not Captain Atkinson mounted his detachment on horses obtained from residents for the purpose. Former recommendations on this subject are earnestly renewed.

L. V. W. KENNON.

Captain, Sixth Infantry, Commanding.

True copies.

ROBERT H. NOBLE,

*Captain, Third United States Infantry,
Adjutant-General, Fifth Separate Brigade.*

(Not dated.)

The citizens of Bais, island of Negros, P. I., ask that Lieutenant Edwards, Sixth Infantry, be sent to Bais.

A true copy:

ROBERT H. NOBLE,

*Captain, Third United States Infantry, Adjutant-General.*MANAPLA, NEGROS, P. I., *March 11, 1901.*

Citizens of Manapla, Negros, request for the retention of Lieutenant Heidt, Sixth Infantry, at Manapla.

[First indorsement.]

HEADQUARTERS THIRD DISTRICT,

DEPARTMENT OF THE VISAYAS.

Bacolod, Negros, April 24, 1901.

Respectfully forwarded to the adjutant-general Department of the Visayas. The district commander is very much pleased to hear from the citizens of Manapla that Lieutenant Heidt's handling of the business as commanding officer at Manapla was such as to bring forth the inclosed petition.

C. W. MINER,

Colonel Sixth Infantry, Commanding.

A true copy.

ROBERT H. NOBLE,

*Captain, Third United States Infantry,
Adjutant-General, Fifth Separate Brigade.*

OFFICE OF MUNICIPAL PRESIDENT.

*Murcia, Negros, P. I., December 13, 1901.*MILITARY GOVERNOR OF THIS ISLAND, *Bacolod.*

SIR: In an extraordinary session held yesterday by the municipal council, among other things, it was resolved to remit to your excellency a manifestation of gratitude by the hands of the undersigned.

that this pueblo is extremely grateful for the services rendered by the soldiers of the Union who have disinterestedly risked their lives in the defense of this pueblo and its interests during these abnormal times from bandits and outlaws, and owing to this protection this pueblo has enjoyed a complete pacification and tranquillity, and especially the hacenderos, who have been enabled to resume their work in the fields during the past year, as is proven by the present crop.

For which reason its inhabitants, in union with its president and councilmen, can not do less than express their thanks to the representative of the United States in this island, extending the same to the officers and soldiers who have labored in the pacification of this pueblo for the last two years.

Yours, very respectfully,

ANTONIO GATUSLAO.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

SAN CARLOS, NEGROS, P. I., *September 16, 1901.*

MILITARY GOVERNOR, *Bacolod, Negros, P. I.:*

Hearing that the American military detachment is to be withdrawn, the hacenderos and merchants energetically protest the carrying out of this measure, as they consider it to be very serious, and at the same time have the honor to inform your excellency that if said detachment be withdrawn they will be forced to leave this locality, abandoning their important interests for want of personal security. If more important reasons will not permit your excellency to grant our request, we beg that the post now in Escalante be transferred to this pueblo, as said pueblo is without importance, while San Carlos has, and is a strategic point for military vigilance.

In the name of hacenderos and merchants.

GAMBOA.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

SILAY, NEGROS, P. I., *February 17, 1901.*

Citizens of Silay petition for the retention of Lieutenant Purdy Sixth Infantry, as subdistrict commander at Silay.

[First indorsement.]

HEADQUARTERS THIRD DISTRICT,
DEPARTMENT OF THE VISAYAS,
Bacolod, Negros, February 19, 1901.

Forwarded to the adjutant-general, department of the Visayas, for the information of the department commander.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

A true copy.

ROBERT H. NOBLE,
*Captain, Third United States Infantry,
Adjutant-General, Fifth Separate Brigade.*

[Translation.]

SILAY, NEGROS, P. I., *November 11, 1900.*

MILITARY GOVERNOR OF THIS ISLAND:

The undersigned, members of the local government and citizens of this pueblo of Silay, having heard that Lieutenant Drouillard, Sixth Infantry, of the American forces, is shortly to be transferred elsewhere, in haste present themselves to your excellency and humbly request that if it is not possible for Señor Hanigan, Second Lieutenant, Sixth Infantry, to return to this pueblo you will be pleased to intercede and obtain the suspension of the transfer of Señor Drouillard for the weighty reasons which, with your permission, we will proceed to state.

First. That the Señor Drouillard on account of the knowledge he has of the ways and customs of the inhabitants of this pueblo could contribute much to the tranquility of the same;

Second. It is also a matter of public interest that he remain in this pueblo for the rectitude and justice he has demonstrated in all his dealings up to the present, and

Third. On account of his knowledge of the topography of the northern part of the island he would undoubtedly be of great value in case of military operations and for the tranquillity and welfare of this pueblo.

In virtue of which we earnestly entreat your excellency take account of the aforesaid reasons and accede to our petition.

This favor we have no doubt of obtaining from your excellency, whose important life may God preserve for many years for the prosperity of these islands.

LOUIS JAYNE

(Twenty-five signatures.)

A true copy.

ROBERT H. NOBLE,

*Captain, Third United States Infantry, Adjutant-General.*BANATE, P. I., *January 18, 1901.*

Eugenie Badella, local presidente, et al., in view of the fact that Banate is without armed police for the protection of the pueblo against the ladrones, request that the detachment now stationed at that place be not removed from the town.

[First indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,

Iloilo, January 21, 1901.

Referred to the provincial governor, province of Iloilo, through whom this communication should have been sent. It is intended at an early date to withdraw the troops from this station, so that if police have not already been organized it would seem that steps to that end should be taken.

By order of Colonel Snyder.

ROBERT H. NOBLE, *Adjutant-General.*

BANATE, *April 1, 1901.*

Principales of Anilae ask that small garrison be stationed in that place as protection from Tulisanes.

[First indorsement.]

BANATE, PANAY, P. I., *April 2, 1901.*

Approved, and think this should be done. I can well spare the men from Banate and still have plenty of force to scout.

D. F. ALLEN,
*Captain, Thirty-eighth Infantry,
United States Volunteers, Commanding Post.*

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., April 26, 1901.

Returned to the commanding officer, Banate, approved.
By command of Brigadier-General Hughes.

NOBLE, *Adjutant-General.*

True copies.

ROBERT H. NOBLE,
*Captain, Third United States Infantry,
Adjutant-General Fifth Separate Brigade.*

CABATUAN, PANAY, P. I., *January 19, 1902.*

TO ADJUTANT-GENERAL, FIFTH SEPARATE BRIGADE.

Iloilo, P. I.:

Presidente and local council of the town of Cabatuan respectfully pray: That having heard by public rumor that the American detachment of that locality will soon be removed, and as they have not yet sufficient armed police in the town that they are afraid of being attacked by ladrones, for which reason they earnestly request you not to remove the said detachment from their town, neither the commanding officer, Lieutenant Seemann, Philippine Scouts, who has great sympathy in that town.

SINFOROSA ZARAGOSA,
Local Presidente.

[First indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., January 23, 1902.

Respectfully referred to the provincial governor, province of Iloilo, Iloilo, Panay, P. I., through whom this communication should have been sent, with the information that that detachment will be withdrawn in accordance with the wishes of the civil governor of the Philippines, as expressed to the military governor of the Philippines.

By order of Colonel Snyder.

ROBERT H. NOBLE,
Captain, Third Infantry, Adjutant-General.

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I. January 23, 1902.

The PRESIDENTE AND COUNCILORS, CABATUAN, PANAY, P. I.:

The brigade commander directs me to express to you his thanks for your kind letter of the 19th instant, in reference to the withdrawal of the American troops from Cabatuan, and to say that that detachment will be withdrawn in accordance with the wishes of the civil governor of the Philippines, as expressed to the military governor. He is also much pleased that the services of the Lieutenant Seemann are appreciated as stated in your letter.

Very respectfully,

ROBERT H. NOBLE,
Captain, Third Infantry, Adjutant-General.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

CABATUAN, PANAY, January 19, 1902.

Presidente and local council of Cabatuan, Panay, P. I., request that the American troops be not withdrawn from Cabatuan, as they fear attacks from ladrones. State that they have not sufficient police force to protect it from such attacks.

[First indorsement.]

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, P. I., January 23, 1902.

Respectfully referred to the provincial governor, province of Iloilo, Panay, P. I., through whom this communication should have been sent, with the information that the detachment will be withdrawn in accordance with the wishes of the civil governor of the Philippines, as expressed to the military governor of the Philippines.

By order of Colonel Snyder:

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Second indorsement.]

OFFICE CIVIL GOVERNOR, PROVINCE OF ILOILO,
January 28, 1902.

Respectfully referred to the chief of the municipal police of this province for his consideration and necessary action.

MARTIN DELGADE,
Governor Civil Province of Iloilo.

[Third indorsement.]

OFFICE OF THE SENIOR INSPECTOR,
PROVINCE OF ILOILO, P. I.,
January, 28, 1902.

Respectfully forwarded to the chief of Philippine constabulary. This office is in receipt of other communications of this nature. The force of constabulary in this province is amply sufficient for the protection of the residents in it, it having been increased to its maximum, viz, 160. Providing they are supplied with proper arms and equip-

ment. The requisition for these arms have been in Manila some time but has not been honored and, without arms, this additional force is useless.

LEWIS PATSTONE,
Senor Inspector Philippine Constabulary, Iloilo, P. I.

[Fourth Indorsement.]

HEADQUARTERS PHILIPPINE CONSTABULARY,
Manila, P. I., February 4, 1902.

Respectfully returned to the senior inspector of Iloilo. Arms and ammunition are expected daily from the States, and a supply will be sent you as soon as they arrive.

HENRY T. ALLEN,
Chief Philippine Constabulary.

[Fifth Indorsement.]

OFFICE OF THE SENIOR INSPECTOR, ILOILO, PANAY, P. I.,
February 12, 1902.

Respectfully returned to the governor of the province of Iloilo, inviting attention to the fourth indorsement.

LEWIS PATSTONE,
Senior Inspector Philippine Constabulary, Iloilo, Panay, P. I.

True copies.

ROBERT H. NOBLE,
*Captain, Third United States Infantry, Adjutant-General
Fifth Separate Brigade.*

SANTA BARBARA, PANAY, P. I., *March 11, 1902.*

The ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: Referring to the withdrawal of the detachment of the Forty-fourth Company, Philippine Scouts, Visayans, from Cabatuan, Panay, I have the honor to state that upon hearing of the order that the town was to be evacuated, the presidente of Cabatuan and all the leading citizens called on me requesting me to stay with the detachment, or if that was impossible at least to leave about 10 or 12 American soldiers there. They stated that taking away American troops from these towns was the worst thing the military could do. Furthermore, they stated that the fact of having a few American soldiers in the town was enough and sufficient to keep the ladrones out of these towns, and by withdrawing all American troops things would come to the same conditions as they were during the Spanish régime.

Very respectfully,

ANTON SEEMANN,
*First Lieutenant, Philippine Scouts,
Formerly Commanding Officer Cabatuan, Panay, P. I.*

A true copy.

ROBERT H. NOBLE
Captain, Third United States Infantry, Adjutant-General.

CAPIZ, CAPIZ PROVINCE, PANAY, P. I.,
February 13, 1902.

I hereby certify on honor that on or about April, 1901, when hostilities ceased in this province, small detachments of troops were stationed in every or nearly every town to protect the inhabitants against tulisanes and ladrones. One by one, as the situation improved, these detachments were withdrawn to the more permanent stations, Capiz and Calivo.

To me, as commanding officer first of Calivo, then of Capiz and Calivo both, petitions for the retention of the detachments after they had been withdrawn were sent from the following towns:

Pilar (several), Cuartero, Tapas, Jagnaya, Mambusao, Batan, Balete, Picazo, Numancia, Lezo, Macato, Tangalan, and Jimeno.

These petitions were ordinarily made in writing, but sometimes verbally, and in each case from the constituted authorities of the town.

C. G. MORTON,
*Captain, Sixth Infantry,
 Commanding Troops and Province.*

A true copy.

ROBERT H. NOBLE,
Captain Third United States Infantry, Adjutant-General.

CAPIZ, PANAY, P. I., *July, 8, 1901.*

Hugo Vidal, governor Capiz Province, requests that Corporal Lombardy, band, Eighteenth Infantry, be left to disposition of provincial governor, Capiz Province. States Corporal Lombardy understands Spanish language very well and could assist them in organizing native police force at Mina.

[Fifth indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., July 17, 1901.

Respectfully returned to the provincial governor, Capiz Province, Panay, P. I. The Eighteenth Infantry is now under orders to return to the United States, under instructions received from the War Department. Corporal Lombardy must return with his regiment.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Assistant Adjutant-General

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

COLASI, PANAY, P. I., *May 3, 1901.*

Presidentes of Pili and Colasi state that town of Ajuy wishes to attach their towns as barrios, and express a desire to be allowed to form a joint local government. Ask commanding officer's assistance to that end.

[First indorsement.]

SARA, PANAY, P. I., *May 8, 1901.*

Forwarded to adjutant-general Department of the Visayas, for action of proper authorities. Pili is about 5 miles and Colasi 10 miles from Ajuy; both are so separated from Ajuy as to have little interest in common. Under Spanish government both places were barrios of Ajuy. From the first, under the military government of the Americans, owing to their natural independence, both places have been recognized as pueblos. They now earnestly petition to be created into one pueblo, separate and independent of Ajuy. I believe that their petition is just, and I recommend that it be granted.

E. E. HATCH,
Captain, Eighteenth Infantry, Commanding.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., May 20, 1901.

Respectfully referred to the provincial governor, Province of Iloilo, Iloilo, Panay, P. I.

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
Assistant-Adjutant General.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

CONCEPCION, PANAY, P. I., *February 25, 1902.*

The ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I.

SIR: In answer to your telegram of the 11th instant, received on the 21st instant, I have the honor to forward herewith petition signed by citizens of Balsan and a letter from presidente of Estancia asking that troops be retained in their respective pueblos. It is not known whether these have, at some date past, been forwarded to your headquarters.

Very respectfully,

CHARLES BROOKS CLARK,
First Lieutenant, Sixth United States Infantry,
Commanding Station.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Translation.]

DAO, ANTIQUE PROVINCE,
Panay, P. I., October 27, 1901.

THE CIVIL GOVERNOR, PROVINCE OF ANTIQUE,
San José de Buenavista, Panay, P. I.

SIR: We have the sentiment of informing you that when the American soldiers of this detachment left this morning they took away the

telephone, which is of the greatest importance for a good regimen of the government of the province and to direct in the best way an administration economical to the public. Moreover, we feel the lack of an American teacher who could instruct and teach the children of both sexes.

We wish that the government of this province would protect us to promote prosperity and future progress, especially as this town is poor and the municipal treasury has not sufficient funds to pay an American teacher. The public requests our respectable government to return the telephone and to facilitate one of those soldiers, in the meantime Private Clarence Perry, who is capable and active, to teach the children of both sexes.

This I communicate, etc.

FORTUNATO ABIERA,
Acting President.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

DUMANGAS, PANAY, P. I., *August 14, 1901.*

Silas, Quintin, presidente, requests that he be furnished with American troops to garrison his pueblo. States reasons.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

DUMANGAS, PANAY, P. I., *October 6, 1901.*

Silas, Quintin, presidente, reports that Venancio Teilano, teniente of barrio of Calao, represents that he (Teilano) was attacked in his house on the night of October 5 by about 12 men armed with bolos; that he was beaten and otherwise maltreated by said highwaymen, and robbed of clothing and other property to the value of 40 pesos. The presidente therefore requests that a detachment of soldiers be sent to assist in making investigation and for the protection of the community.

[Second indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS.

Iloilo, P. I., October 11, 1901.

Respectfully referred to the commanding officer, Pototan, Panay, P. I. Paragraphs 1 and 4, General Orders, No. 179, current series headquarters Division of the Philippines, prohibit the use of troops in such cases; however, the local constabulary officer has been advised and he says he will send out a detachment.

By command of Brigadier-General Hughes.

ROBERT H. NOBLE,
Assistant Adjutant-General.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

Replies to official copies of telegram headquarters Fifth Separate Brigade, dated February 11, 1902.

[First indorsement.]

POST OF ILOILO, *Panay, P. I., February 25, 1902.*

Respectfully forwarded to the Adjutant-General Fifth Separate Brigade, Iloilo, P. I.

OMAR BUNDY,
Captain, Sixth Infantry, Commanding Post.

JARO, P. I., *February 25, 1902.*

ADJUTANT POST OF ILOILO.

No petitions received for retention of troops at this station.

HOUSTON,
Lieutenant, Tenth Cavalry, Commanding.

HEADQUARTERS TROOP E, TENTH CAVALRY,

OFFICE OF THE SURGEON,

Jaro, Iloilo Province, Panay, P. I., February 15, 1902.

The ADJUTANT, *Iloilo, Panay, P. I.*

SIR: In answer to copy of cablegram from the adjutant-general Division of the Philippines, Manila, P. I., dated February 10, 1902, I have the honor to report that I have no record of any such petition.

Very respectfully,

S. D. HUNTINGTON,
*Captain and Assistant Surgeon,
United States Volunteers, Surgeon.*

COMPANY D, SIXTH INFANTRY,

San Augustine Barracks, Iloilo, P. I., February 12, 1902.

The ADJUTANT POST OF ILOILO, *Panay, P. I.*

SIR: In reply to official copy of telegram dated headquarters Fifth Separate Brigade, February 11, 1902, I have the honor to report that no petition of retention has been received by me.

Very respectfully,

H. G. STAHL,
Second Lieutenant, Sixth Infantry, Commanding Company D.

I certify that Company I, Sixth Infantry, was stationed at Colasi, Province of Antique, Panay, P. I., from February 14, 1901, until August 17, 1901, and that detachments from the company occupied five substations. That when the company was ordered to Iloilo in August, 1901, these detachments were withdrawn to company headquarters.

The substations were as follows: Pandan, Panay, 25 men; Sebbaste, Panay, 7 men; Bacalan, Panay, 7 men; Bidaten, Panay, 7 men; Tibiao, Panay, 7 men.

The native officials of these different towns came to me and personally petitioned me to allow my soldiers to remain among them. The presidente and every official of the town of Colasi, the company's headquarters, came to me and asked leave to petition the department commander to allow the company to remain there. I explained to them the uselessness of such a petition, and as a consequence it was not made.

I further certify that I have never had occasion to punish men for abusing natives, but I have had much difficulty in forcing men to be more cautious in trusting the natives; the trouble with our men being that they are too ready to give a generous friendship to every Filipino who shows them his ever present smile and who offers them his always-treacherous hand.

Very respectfully,

H. A. HANIGAN,
First Lieutenant, Sixth Infantry,
Commanding Company I.

HEADQUARTERS COMPANY M,
SIXTH UNITED STATES INFANTRY,
Iloilo, Panay, P. I., February 19, 1902.

ADJUTANT POST OF ILOILO,
Iloilo, Panay, P. I.

SIR: In compliance with instructions from your office, I have the honor to forward, herewith inclosed, one copy of petition of the citizens of Victorias, Negros, for retention of noncommissioned officers of detachment; one extract copy of record of petition of citizens of San Miguel, Panay, P. I., for the retention of Corp. Fred W. Jenny and detachment at San Miguel; also my certificate of verbal petitions for retention of detachments.

Very respectfully,

JAMES V. HEIDT,
First Lieutenant Sixth Infantry,
Commanding Company M.

HEADQUARTERS COMPANY M, SIXTH INFANTRY,
Iloilo, Panay, P. I., February 19, 1902.

I hereby certify that about the time notice of receipt of order for Company M, Sixth Infantry, to change station from the outlying towns of Iloilo Province to the town of Iloilo, in August, 1901, official committees urgently requested verbally in the name of the people of their respective pueblos, and stated that the relations between the people of the pueblos and the soldiers were most cordial and that the conduct of the several detachments was excellent, viz:

San Joaquin, Panay; Miago, Panay; Guimbal, Panay; Igbaras, Panay; Tubungan, Panay; Tigbauan, Panay; Oton, Panay; San Miguel, Panay; Alimedian, Panay; Maasin, Panay.

JAMES V. HEIDT,
First Lieutenant, Sixth Infantry, Commanding Company M.

SAN MIGUEL, PANAY, P. I., *August, 1901.*

citizens of San Miguel request retention of Corporal Jenny, Company M, Sixth Infantry, and detachment of Company M, Sixth Infantry serving at San Miguel.

True copies.

ROBERT H. NOBLE,
Captain, Third United States Infantry,
Adjutant-General Fifth Separate Brigade.

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, Panay, P. I., February 3, 1901.

COMMANDING OFFICER,

FOURTH DISTRICT, DEPARTMENT OF THE VISAYAS,
Jaro, Panay, P. I.

[Telegram.]

Department commander requests to be informed if it would be practicable to send a detachment of ten men to Tubungan from Miagao. The people wish to reorganize the pueblo and they tell me they can do so until a detachment push them on their feet so that they can protect themselves.

NOBLE,
Acting Adjutant-General.

True copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

IGBARAS, PANAY, P. I., *June 28, 1901.*

Residente municipal requests that the American soldiers stationed at Igbaras be allowed to remain in the convent at that place.

True copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

JANIUAY, PANAY, P. I., *January 10, 1901.*

Forty-eight citizens of Janiuay request retention of Capt. John Duman, Twenty-sixth Infantry, United States Volunteers, to command of troops at Janiuay. Note how well he has defended the town.

True copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

LEGANES, PANAY, P. I., *May 21, 1901.*

Ustilo, Thomas, presidente, informs me that the detachment of soldiers formerly stationed at Leganes has gone to Iloilo, and requests,

in the name of the people of Leganes, that another detachment be sent there for protection. States that police of that place have no firearms.

[Third indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
OFFICE ORDNANCE OFFICER,
Iloilo, Panay, P. I., July 24, 1901.

Respectfully returned to the adjutant-general Department of the Visayas. * * * Under recent orders of the division commander no arms are available for this town.

W. H. SIMONA,
Captain, Sixth Infantry, Ordnance Officer.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

LEON, PANAY, P. I., *February 26, 1902.*

Hon. HILBERT N. BRINK,
*Superintendent of Schools for Island of Panay,
Iloilo, Panay, P. I.*

SIR: Within the last day or two I have heard many ladrone reports and rumors regarding this town, and I felt that I ought to report the matter to you as I understand it.

For sometime I have been hearing of various small bands of ladrones operating in this vicinity, and one or two men have been shot or boloed within a mile or two of here; but I had given the matter no serious consideration, though several of the most prominent people here have assured me that they were going to move to some other town, but I had the idea that one American well armed was good for a dozen ladrones, and merely laughed at their fears, but now there seems to be a little something about it which looks serious.

It seems that troops have been in this town for a long time, and many scouts from here helped the Americans against the ladrones, thus arousing the hostility of the ladrones against this town, which they did not dare to bother while the troops were here, but now the troops are going away and they seem to think that they have an opportunity to get even.

Some people here in the town have evidently mistrusted this feeling for sometime, and have had spies getting information as to the intentions of the ladrones, and last night I was acquainted with the reports of the agents of the people here. And while personally I know very little about it, and I am not authorized to divulge the names of the informants, I have no doubt that their information for the reports were made by men who were experienced scouts for the American troops, and men who proved themselves trustworthy informants to the troops, I am told.

The ladrones have sent in letters stating that they were coming here and before the American soldiers had been out of here two weeks they were going to burn the town and cut off the heads of the Americans and several well-known ex-scouts here who had informed against them. Furthermore, these spies inform us that the various ladrone bands

his district have been organized for the purpose of wiping this town out of existence. They say that the force as now organized consists of about 300 men; that 50 of these are armed with guns, of which about 20 are modern rifles in good condition, and the rest are armed with bolos and spears. But what makes the matter worse, these men are officered with ex-insurrecto officers who on account of having committed crimes for which they expected to suffer if taken had surrendered. These men are said to have ladrones well in hand, and as they have been under fire and know a little something about fighting, it makes an ugly sort of proposition.

Most of the people here in town I find are somewhat nervous, and some of the more prominent have been to a man by the name of Sullivan, who owns a plantation about 2 miles from here and who was one of the shrewdest sergeants in the Twenty-sixth Infantry, United States Volunteers, a company of which was here for a long time. It seems that they wish him to organize the police force here, and he had a talk with me about it.

He is perhaps as well acquainted with this island as any American here, as he speaks the language fluently and had fought all over this province. He frankly told me that he thought it an ugly proposition to deal with. But he said to protect his property here, if he could have full swing in organizing a police force and could be appointed captain of the police and myself as lieutenant, so that we could have absolute control of the force, even to shooting a man if he did not obey orders to the letter, he thought he could pick out 12 men from his old force of scouts whom he could depend upon, and he thought we could protect the town all right. His idea was that he and I were to serve without charge, and merely because he thought that was the only way in which the town could be protected. He said that if I did not accept the proposition he, while he was not cold-footed, would get out of the town, leaving his property here, which, by the way, is worth several hundred dollars, as he thought more of his head than he did of the property.

I told Mr. Sullivan that while I appreciated what he said I could do nothing without consulting you. Now, of course, if I should accept the office of lieutenant of police, I at once render myself liable to be called on to go out to protect any barrio in the neighborhood from ladrones, and it might now and then interfere with my school duties, and I could not do anything to interfere with them without your consent and approval. But, under the circumstances, I would prefer that you would either approve this or grant me some other location, if possible, for next year. I suppose you have wondered why we did not have some constabulary to solve the problem. Well, to tell the truth, none here has much confidence in the constabulary. Of course, if there was a large force under an American inspector, that might solve the problem, but I think a small force here acting for themselves would be worse than useless.

To show you what faith some of the men have who have been warned that they will be killed, I will say that they have made all arrangements to burn their houses when the troops leave and get out.

There I have explained the matter and leave it to you to decide what you think best. I am ready to stay here or to move wherever you may wish, though I would prefer to finish my year here, as I don't like to be driven out of town before the year is up unless the town is burned.

If you should decide to make any change for me for the next year I would like, if possible, or rather if convenient, to be moved into some town on the coast or only a few miles from Iloilo and where I could get in readily with the team, for if I could be placed in a suitable town my fiancée would like to come out here if the health of her parents will permit, and if she should come I think she would prefer to teach if you could give her a chance.

Well, it is almost school time, and I must close.

Very truly,

FERNALD D. SAWYER,
Teacher of English.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Telegram.]

LEON, PANAY, P. I., *February 12, 1902.*

ADJUTANT-GENERAL, ILOILO:

There are no records here of petitions for retention of troops or officers, but only because such things have always been discouraged. When word was received here about February 1 that the troops would leave, the civil officials called on me in a body protesting against the withdrawal of the troops, and stated that they desired to visit the brigade commander to request that troops remain here. This I dissuaded them from doing. In every case these detachments have been withdrawn from towns in this district the officials and people generally have protested and desired to know what they could do to have the orders countermanded. These I have always discouraged, as I did not deem it right to advise action on part of civilians with a view to the countermanding of military orders I have received.

THOMAS G. CARSON,
Captain, Tenth Cavalry, Commanding.

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

POTOTAN, PANAY, P. I., *February 24, 1902.*

ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,

Iloilo, Panay, P. I.

SIR: Compliance with telegraphic instructions dated February 11, 1902, concerning report of misconduct of troops and that the various pueblos desire their withdrawal, I am prepared to say that such statement is utterly false, and that the following pueblos—Pototan, Dinga Passi, Barotac Nuevo—not only are satisfied with the conduct of the troops, but have in each case verbally requested they be retained when withdrawn, Pototan excepted.

That the presence of an armed military or other force is necessary is indisputable, and numerous cases of outlawry are reported in localities where there is no military force and in which such was not the case while a detachment was stationed there.

From the inclosed papers an idea may be gathered of the great trouble (they claim a necessity) the pueblo of Dumangas has for some time had to employ or other force to preserve the peace and quiet of the municipality, and this condition may be said to exist in nearly every pueblo garrisoned by a military force; the presence alone, though no active part is taken by them in any disturbance, has the effect of preserving order. Further information will be forwarded as it is collected.

Very respectfully,

GEORGE J. ODEN,
First Lieutenant, Tenth Cavalry, Commanding.

true copy.

ROBERT H. NOBLE.
Captain, Third United States Infantry, Adjutant-General.

SAN JOSE DE BUENAVISTA, PANAY, P. I.,
March 4, 1901.

Prominent citizens of San Jose de Buenavista, Panay, P. I., petitioned that Maj. J. F. Huston, Nineteenth United States Infantry, be assigned as commanding officer at that place.

true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

OFFICE OF PROVINCIAL GOVERNOR
OF ANTIQUE PROVINCE,

San Jose de Buenavista, Panay, P. I., February 17, 1902.

COMMANDING OFFICER, FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I.

(Through commanding officer, Province Antique.)

SIR: I have the honor to inform you that Señor Leandro Fullon, Governor-elect and late insurgent chief of this province, yesterday called to me to use my best endeavors to retain American troops in the province. He had heard that they might be withdrawn. He said that when he was an insurgent leader he believed it his duty to sustain the struggle as long as possible, but that now he has taken oath of allegiance to the United States he wishes to demonstrate loyalty to that Government.

He fears that if the troops are withdrawn some lawless element might create disturbance which would be beyond the power of the municipality to control and that he, Fullon, might fall under suspicion. He does not wish to be held responsible for the good order of the province in case American troops are withdrawn and requests that at least one company be retained at this capital indefinitely.

In forwarding this statement, I might add that the climate of the coast of Panay is very healthful and that San Jose is considered the most desirable station.

Very respectfully,

W. A. HOLBROOK.
Captain, Fifth Cavalry, Governor.

true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

SAN JOSE DE BUENAVISTA, PANAY, P. I.,
February 13, 1902.

The ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: I have the honor to acknowledge receipt of your telegram of February 11, 1902, and to state there are no petitions on file here for retention of garrisons. There are four letters bearing on the subject, which are inclosed herewith.

Very respectfully,

R. R. H. LOUGHBOROUGH,
Major, Sixth Infantry, Commanding.

[Inclosure No. 1.]

PANDAN, PANAY, P. I., December 7, 1901.

People of Sebaste, Panay, offer allegiance to the United States and beg for troops to protect them from ladrones.

[Inclosure No. 2.]

SAN REMIGIO, PANAY, P. I.

Request for permission to retain "palay" in San Remigio: (Note.) Request returned and palay taken to Sibalom.

[Inclosure No. 3.]

PATNONGAN, PANAY, P. I., January 23, 1901.

Commission from Patnongan requests authority to collect palay in that town instead of taking it to San Jose. Requests an extension of time if this request be refused. (Note.) Authority granted.

[Inclosure No. 4.]

PATNONGAN, PANAY, P. I., January 13, 1901.

The people of Patnongan request a garrison stationed in their pueblo.

HEADQUARTERS FIFTH SEPARATE BRIGADE,
Iloilo, Panay, P. I., March 12, 1902.

CERTIFICATE.

I certify that during my service as adjutant-general Department of the Visayas and of the Fifth Separate Brigade, from August 11, 1900, until this date, there have been many verbal applications for the retention of troops and officers of which no entry was made in the records, but I recall distinctly the following in this province, all of which were made since the cessation of hostilities last year and the subsequent establishment of civil government in April, 1901.

Calinog.—By the town officials for the retention of troops and Captain Nichols, Thirty-eighth Infantry, United States Volunteers, May, 1901.

Duenas.—By the town officials for the retention of troops, May, 1901.

Maasin.—By the presidente of the town and prominent natives for the reoccupation of the town by United States troops, December, 1901.

Nabulas.—For the retention of United States troops, May, 1901.

Santa Barbara.—For the retention of Lieutenant Golderman, Twenty-sixth Infantry, United States Volunteers.

Sara.—For the retention of the garrison of United States troops, December, 1901.

Zarraza.—Request of presidente for the retention of troops, May, 1901.

Iloilo.—Letter and verbal application, to Brigadier-General Hughes, of civil governor of province, and other prominent natives, for retention of myself for duty in this island.

While visiting the towns of this province in April last, for the purpose of organizing them under the municipal code, many requests were made to me as adjutant-general for the retention of individual officers.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

TAPAS, PANAY, P. I., *March 11, 1901.*

The inhabitants of Tapas request that a small detachment of American troops be stationed there.

[First Indorsement.]

TAPAS, PANAY, P. I., *March 15, 1901.*

Respectfully forwarded to the adjutant-general Department of the Visayas, with the information that through the help of the people here the insurgents formerly stationed here have surrendered, been captured, or killed. If the insurgents have the opportunity, the town which is now being built will undoubtedly be made to suffer.

CHARLES H. MUIR,
*Major Thirty-eighth Infantry,
United States Volunteers, Commanding.*

LAONG, SAMAR, P. I., *July 28, 1901.*

Principales Laoang petition superior military authorities to retain Maj. F. A. Smith at that post.

[First Indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
In the field, Calbayog, Samar, P. I., August 1, 1901.

Respectfully forwarded to the adjutant-general Division of the Philippines.

R. P. HUGHES,
Brigadier-General, U. S. A., Commanding.

[Second Indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., August 7, 1901.

Respectfully returned to principales of Laoang, Samar, through Headquarters Department of the Visayas, with the information that

owing to the exigencies of the military service requiring Major Smith's services elsewhere this request can not be complied with.

By command of Major-General Chaffee:

J. T. KERR,
Assistant Adjutant-General.

[Third indorsement.]

HEADQUARTERS DEPARTMENT OF THE VISAYAS,
Iloilo, P. I., August 26, 1901.

Respectfully returned to the commanding officer Laoang, Samar, P. I., with instructions to transmit this paper to the writers thereof and explain to them the meaning of the second indorsement.

By command of Brigadier-General Hughes:

C. J. CRANE,
Assistant Adjutant-General.

A true copy:

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

ILOILO, P. I., *May 15, 1901.*

KOBBE, *Zamboanga:*

Presidente of Cuyo writes Rufo Sandoval, insurgency governor of Paragua, will arrive in Cuyo in a few days to make all surrendered to the United States recognize authority and punish them. Can send some relief if desired.

HUGHES.

ZAMBOANGA, *May 15, 1901.*

HUGHES, *Iloilo:*

Your cable this date unintelligible as received.

KOBBE.

ILOILO, P. I., *May 16, 1901.*

KOBBE, *Zamboanga:*

President Cuyo Islands sends me the following:

In the name of pueblo hasten to inform you that reliable news has been received that insurgent governor Paragua, named Rufo Sandoval, will arrive Cuyos shortly to make us recognize his authority and punish all who have surrendered to United States

CLEMENTO FERNANDEZ

It is possible I can send some relief if so desired. Cuyos 30 mile off west coast Panay.

HUGHES

HUGHES, *Iloilo:*

Intend occupying Paragua and visiting Cuyos soon as troops now in Manila arrive, meanwhile will send gunboat to Cuyos.

KOBBE

A true copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Telegrama.]

CEBU, CEBU, P. I., *February 20, 1902.*

E. Iloilo:

car was vacated June 26 last, and on petition of presidente and
il garrison returned the following month. Sibong was aban-
l January 17 last; the presidente has requested that it be
risoned. Alegia was abandoned March 15, 1901; all municipal
rs protested against this and some left the town with the troops.
andonment of Mandane by troops the presidente and committee
y council personally requested that town be reoccupied. Care-
arch made in records of post and district, but no petitions on file.
ions general have been made by municipal officials in person.

HUSTON,
Major, Nineteenth Infantry, Commanding.

DUMANJUG, CEBU, *February 1, 1901.*

izens of Dumanjug, Cebu, petition the military governor for the
tion of Major McCoy, Forty-fourth Infantry, United States Vol-
rs, in that section.

[First Indorsement.]

HEADQUARTERS SECOND DISTRICT,
DEPARTMENT OF THE VISAYAS,
Cebu, Cebu, P. I., February 24, 1901.

rwarded to secretary to military governor in the Philippine
ls, through military channels.
e inclosed communication was sent to me with the request that
forwarded. Major McCoy's services have been excellent and he
strong hold on the affections of the people in Dumanjug, and I
e he has won the respect at least of the great mass of the natives
e west coast of Cebu.

E. J. MCCLERNAND,
Colonel Forty-fourth Infantry, U. S. V., Commanding.
ie copy.

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

[Copies of telegrama.]

TAGBILARAN, BOHOL, P. I., *February 13, 1902.*

TANT-GENERAL, *Iloilo, Panay.*

applications on file for retention of garrisons or officers by inhab
. Citizens of Ubay have requested me to keep garrison there.
ome time ago Calape asked for troops. I was informed some
ago that a petition had been sent requesting that I be retained
General Hughes thought of abandoning Tagbilaran. I had
rous verbal applications for retention of troops.

WOODBURY,
Major Nineteenth Infantry, Commanding.

TAGBILARAN, BOHOL, P. I., *February 15, 1902.*

ADJUTANT-GENERAL, *Iloilo, P. I.*

In May and June last had verbal applications from Calape for troops, and under date of July 29, 1901, a written application signed by municipal council. From Ubay several verbal applications, last one February 2, 1902. Verbal protests against troops leaving Tagbilaran about October 20, 1901. Have had numerous requests received here as commanding officer; last one about January 20, 1902. Urged several times that I permit my name to in as a candidate for governor, last one about January 25, 1902.

WOODBURY,
Major Nineteenth Infantry, Commanding Post.

True copies:

ROBERT H. NOBLE,
Captain, Third United States Infantry, Adjutant-General.

POST OF TAGBILARAN.

TAGBILARAN, BOHOL, P. I., *February 15, 1902.*

ADJUTANT GENERAL, FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: Having sent a telegram in answer to your cable of the 11th instant, I have not very much to add.

The people of Calape have made numerous requests for troops since April last; some verbal, some to the civil governor, on the strength of which he has requested the troops asked for. I inclose one sent me dated July 29, 1901, signed by the municipal council. The people of Ubay have frequently made verbal requests for troops, the last one being made about February 2, 1902, hoping that troops would be kept there. When General Hughes spoke of removing troops from Tagbilaran about November 5, 1901, I had a good many verbal applications that troops be retained. Also at Loay about October 20, 1901, verbal requests came that troops be again stationed there, the garrison. Company K, Nineteenth Infantry, Lieutenant Bond commanding, having been moved to Loboc, 3 miles distant, about six months previous.

I inclose letter from governor on the subject of my retention. In mentioning my own name, I only do so with the understanding that it is a question of the attitude of the people toward United States troops and officers. I have had numerous requests since February 8, 1901, from citizens that I permit them to forward petitions that I be retained here as commanding officer. I have always refused my sanction. The last one was about January 20, 1902. I have also been requested several times to permit my name to go before the convention as governor, which I have always refused, although I knew that it was the desire of nearly all the convention. The last requested was made about January 20, 1902. I have sent your telegram to other officers, but have received no answers; but I am cognizant of the situation, and there are no papers on file for the retention of my garrison or any officer by any pueblo except the inclosed.

Very respectfully,

T. C. WOODBURY,
Major, Nineteenth Infantry, Commanding.

The letter of the governor was not signed, so I did not inclose it.

T. C. WOODBURY,
Major, Nineteenth Infantry.

CALAPE, BOHOL, *July 29, 1901.*

THE COMMANDING OFFICER SUBDISTRICT OF BOHOL:

Estefanio Salmon y Villas, municipal presidente of this pueblo, and the municipal council, who are adherents of the noble American nation, respectfully state:

The present circumstances which afflict this unhappy pueblo are well known to you; our enemies, for no other reason than that we are partisans of the force of occupation, treat us with greater severity than the other pueblos of the province. We here declare that not a day passes, not even an hour, that our enemies have not made us feel the rigor of their vengeance, robbery and plunder being the order of the day; but these are the least of the evils we have to fear if these malefactors should realize their intention to penetrate into this village to kill and burn all that covers the land.

To defend ourselves we can count on nothing more than the municipal police and the few that possess arms; and if both were united we should be able to offer but slight resistance because of the great number of our enemies. We therefore respectfully beg that, if possible, you equip this pueblo with 25 serviceable rifles, for which the council will be responsible, and if not possible that you will send here a detachment of the force with your command, even if it be but 25 men.

ESTEFANIO TALMON.
(And 15 others.)

OFFICE OF THE GOVERNOR OF OCCIDENTAL NEGROS,
Bacolod, July 17, 1901.

THE MILITARY GOVERNOR OF THE ISLAND OF NEGROS.

HONORABLE SIR: I have the honor of remitting, through the headquarters of the third military district of your worthy charge to the honorable commander general of the department of Visayas, the six petitions presented by the principal residents of the pueblos of the south of this province, in which they solicit the continuation of Lieut. Col. B. A. Byrne in the post of commander of the subdistrict of this island.

In placing said petitions in your excellency's hands, I comply with a duty of strict justice and congratulate myself on being the bearer of the petition which not only makes a sincere recognition of the valuable services in the cause of peace and order by said lieutenant-colonel, but also clearly proves the notable change effected in the general thought and feelings of the inhabitants of these pueblos, who being convinced of the benefits obtained under sovereignty of the United States to-day direct all their efforts to obtain prosperity, struggling honorably in the fertile field of work.

Therefore, taking into account these considerations the stating of which fills me with satisfaction on account of their significance and transcendence, allow me to request that your excellency will be pleased to remit said petitions to the superiority and report also on the necessity and convenience of the continuation of the worthy Lieut. Col. B. A. Byrne in the command of the submilitary district of this island.

Very respectfully,

JOSE R. DE LUZURIAGA,
Governor of Occidental Negros.

COMMANDER-GENERAL OF THE DEPARTMENT OF VISAYAS,
Iloilo.

SIR: The undersigned, principals and residents of these pueblos of the southern part of the Occidental coast of the island of Negros, hearing that the Lieut. Col. B. A. Byrne has been assigned to another regiment and will probably be transferred elsewhere, to your excellency state: That the tranquillity and prosperity to-day enjoyed by these pueblos, after the past disturbances, we owe to the very worthy and zealous Lieutenant-Colonel Byrne, who by his activity, morality, and judgment has gained the sympathy of natives and foreigners, restored confidence, and the fields which were left abandoned in these past years are to-day covered with plantations of sugar cane, rice, and other products of the country.

The great moral force he to-day exerts over all these pueblos, and the exact knowledge he possesses, both of the country and the personnel of this region, are a grand guaranty of order and prosperity, and whatever other officer comes to relieve him will be a considerable time in acquiring, for which of your excellency we entreat that in attention to the aforesaid reasons, and, if possible, that the renowned Lieutenant-Colonel Byrne continue at the head of this subdistrict until the peace we enjoy be consolidated.

This is a favor we hope to obtain by your kindness, and may God preserve your life for many years.

(27 signatures.)

VALLADOLID, *June 12, 1901.*

Same petition from Jimmamaylan, June 5, 1901 (15 signatures); La Cortota, May 30, 1901 (187 signatures); La Castellana, May 30, 1901 (69 signatures); La Yoabela (33 signatures); Cabancalan, May 30, 1901 (77 signatures); Ylog, June 5, 1901 (21 signatures).

[First indorsement.]

HEADQUARTERS THIRD DISTRICT,
DEPARTMENT OF THE VISAYAS,
Bacolod, Negros, July 23, 1901.

Respectfully forwarded to the adjutant-general, Department of the Visayas.

I heartily concur in the recommendation of the provisional governor, and trust that Major Byrne may be retained in his present command, where his services have been of the greatest assistance to me. He has the entire confidence of the people of his subdistrict, which takes in the country on the west coast south of Bago. His mere presence will keep down the law-breaking element, as he is much feared by them. In case it becomes necessary to relieve Major Byrne, I request that Capt. L. W. V. Kennon, Sixth Infantry, be sent to Valladolid to exercise this most important command in the island of Negros, as I consider him best equipped for the duty of any officer with the Sixth Infantry.

C. W. MINER,
Colonel Sixth Infantry, Commanding

[Second indorsement.]

HQRS. DEPT. OF THE VISAYAS, IN THE FIELD,
Calbayog, Samar, P. I., August 4, 1901.

Respectfully returned to the commanding officer, third district, Department of the Visayas.

The department commander remarks:

"When Colonel Byrne is ordered away the regimental commander assign Captain Kennon if it is his battalion that is left in Negros."

By command of Brigadier-General Hughes:

ROBERT H. NOBLE,
*Captain, Third United States Infantry,
Adjutant-General, in the Field.*

[Translation.]

to Señor Commander of Police Regulars at Himamaylan:

The unassigned members of the "local comite" of the town of Cabancalan, in meeting of the citizens of the same, with due respect, state that owing to the weakness of the town forces, who only have blank arms, they are without personal safety, for if any invasion of vandals or wrongdoers these wrongdoers might assault us. We beg of you, if it is possible to place a force of American regulars here, for the welfare and peacefulness of this town. If this is not in your power we humbly request that you carry our humble petition to your superior authorities, to the end that it be granted us, if worthy, with our kind wishes and under your most disinterested information know. God guard you.

CABANCALAN, *January 13, 1900.*

[First Indorsement.]

HEADQUARTERS LA CARLOTA,
SUBDISTRICT OF NEGROS,
La Carlota, Negros, P. I., October 27, 1900.

Respectfully forwarded to the adjutant Sixth Infantry. I could not possibly spare any American soldiers for Cabancalan. There are now none of the native reserve there. Those Guansons are the main source of discontent there, I believe, as the people are very much afraid of them. If they can be suppressed I think the town will be happy and satisfied.

B. A. BYRNE,
*Lieutenant-Colonel Fortieth Infantry,
United States Volunteers, Commanding.*

LT. L. W. V. KENNON,
Sixth United States Infantry, Valladolid.

SIR: The undersigned hacendados and residents of the pueblo of Isabela Occidental Negros, to your authority with all due respect, state that the haciendas, being in a most critical and dangerous condition during the milling season from incendiary fires, various of which have already occurred in this locality and neighboring pueblos, we have the honor of presenting to your authority this petition, in order that, if considered advisable, you may arrange a patrol of from ten to fifteen Americans to make a daily round of this district, and a detachment in Magallon as an advance guard, in order to avoid this danger with which we are threatened by the forest bandits. This favor we have no doubt of obtaining from your good judgment. ISABELA, April 13, 1902.

RUPERTO BELZUNCE.

(Twenty-one signatures.)

[First Indorsement.]

VALLADOLID, NEGROS, P. I., *January 23, 1902.*

Respectfully forwarded, approved so far as the request relates to mounting a detachment at Isabela for the purpose of patrolling that district.

In this connection it may be remarked that the recent successful pursuit and punishment of the band of insurgents which burned the hacienda Alicante, near Isabela, would have been impossible had not Captain Atkinson mounted his detachment on horses obtained from residents for the purpose.

Former recommendations on this subject are earnestly renewed.

L. W. V. KENNON,
Captain, Sixth Infantry, Commanding.

The MILITARY GOVERNOR.

SIR: In obedience to your respectable communication of the 20th instant, the detachment of troops composed of 10 persons who have been stationed in this pueblo up to this date, will leave here for this capital at 6 p. m., of the same, the inhabitants being quite satisfied with them during the time they have been here.

Health and fraternity.

Grenada, December 31, 1900.

(Signed by the municipal council.)

HIS EXCELLENCY THE COMMANDER IN CHIEF OF
UNITED STATES FORCES, *Visayan Islands.*

YOUR EXCELLENCY: The landholders and residents of the town of Bais, animated by the well-known honesty and benevolence of your excellency, and the evidence which you have given of the interest you take in the interests and lives of the honorable residents of the district under your charge, all of which several of the signers hereof have had proof, some through having received permission to use arms and others by concessions not less worthy of gratitude, appeal to your excellency at the present time with the request that you grant us another favor, which we hope you will see your way to do, if the service permits, and that is that you will appoint an officer to take command of the detachment here, as there is none at present, the last officer in command having been transferred to Dumaguete.

Your excellency is aware of the importance of this town, its strategic position on account of its proximity to the mountains and the ease with which it can be reached from the sea, which we can not see on account of the islands which form this port, and which permit a surprise at any moment from one side or from the other.

Your long military experience will also show you the difference when a detachment of troops is commanded in any nation by an officer, upon whose dignity depends the orderly conduct of the soldiers under his command, and their being commanded by a person who fraternizes much more with his companions and can not always prevent the commission of some abuses by soldiers, the service not being conducted with the discipline prescribed by the regulations.

We do not believe it necessary to go into details in this connection, as your superior intelligence will bear out the truth of our statements, but we must state to you that your excellency being aware of the occurrences of certain events which took place in this town last year, the principal authors of which being absent, are a constant menace to this town, the credit of the farmers being depreciated so that it is impossible for them to reestablish their farms and raise them from the conditions in which they were left by said occurrences, and commerce is timid in investing capital to any extent for the introduction of goods which will render living cheaper, which makes the life of the poor difficult, and it is to be feared that hunger may impel them to take a step which will be lamentable. Believing that the foregoing statements are sufficient to show your excellency the justice of our position, we request your excellency to order the appointment of an officer to take command of the detachment of troops in this town, and while we are making this request, abusing of your confidence, we request that, if possible, the officer appointed be the one who previously was in command, First Lieut. Oliver Edwards, at the present time at San Carlos, whose personal characteristics we are acquainted with, and which would be a sufficient guaranty for our security, as he knows a majority of the persons of this coast and is acquainted with all that has occurred here, which will enable him to prevent future uprising.

This is a grace, which like others you have granted, and we owe you, we do not doubt that the well-known honesty of your excellency will impel your excellency to grant, whom God preserve many years.

JOSE ROMERO

(And 14 others.)

THE MILITARY GOVERNOR OF THE ISLAND OF NEGROS.

SIR: We, the undersigned, members of the municipal corporation, distinguished and most prominent citizens, and most distinguished wives and daughters of the city of Manapha, Western Negros, most respectfully present and state the following to your excellency:

Being loyal to the sovereignty of the great North American Republic, whose liberal and humanitarian laws we have experienced during the short time in which the star spangled banner has been floating over this island, and whose beneficial influence we have all palpably felt in the rapid progress of our city in the various branches of popular education, and being prompted by the sacred duty of gratitude toward our benefactors, we hereby express our gratitude humbly and modestly on account of our poverty and paucity of knowledge, but sincerely and enthusiastically, owing to our disinterestedness and the fact that it proceeds from the bottom of our hearts.

This relative prosperity and well-being which we are enjoying in this laborious evolutionary epoch of transition of the Filipino people from its old and decrepit monarcho-theocratic government of sad memory to the liberal and vigorous Constitution of the powerful, illustrious, and industrious North American nation, which to-day enjoys such greatness and prosperity we owe it all to the North American people, vivified by liberty and individual rights, harmonized by justice, and nourished by the wonderful sap of democracy; a Constitution which is being established in the Philippines, our beloved country,

preparing it to be capable and worthy of self-government and of the liberal institutions inspired by the immortal George Washington, the best eulogy of whom is that he was "first in war, first in peace, and first in the hearts of his countrymen."

We owe this education, this preparation for modernization, if we may be allowed the expression, to the honorable President of the United States; to his most worthy representative of the supreme Government of the United States in the Philippine Islands, the honorable General MacArthur; to the honorable American Civil Commission; to you, our military governor of this island, and to the distinguished and chivalrous present commander of the American detachment at this place, First Lieut. James V. Heidt, who continually watches with parental solicitude over the interests of this city, working disinterestedly for its prosperity and well-being, guiding it with his prudence and wise advice in the strict observation of justice and fulfilment of duty, and giving it the useful and beneficial example of wisdom in conduct, moderation in action, clemency toward criminals, and the horror of crime, and the incorruptible integrity of honest and honorable public officials. He has thus succeeded in gaining the good will of the inhabitants and energetically overcoming all kinds of adversities, difficulties, and obstacles, and not only is Mr. Heidt the commander of the detachment, but he is the soul, the counselor, and the inspirer of the city in the right road of progress and civilization.

The absence, excellent sir, of public officials, who think only of being useful to the city, and who consider that office is a charge, a duty, and a trust conferred upon them by the nation as the support and safeguard of liberty and individual rights, produces a painful impression and deep regret in the sincere and truly loyal hearts of a people who base their judgment upon the appreciation of such beautiful qualities.

This is the feeling of the inhabitants of the humble city of Manapla upon hearing that Mr. Heidt is to be relieved, and the news has given rise to deep regret at the announced departure of the just and honest chief, who is a man of incorruptible integrity, a wise and honored public official, a strict observer of his duties, a protector of the general prosperity and well-being of the city, and the defender of liberty, of individual rights, and of justice, for which reason we, being lovers of the progress and civilization of our city, being free from selfish views and from vile and low adulation, and without the intention of wounding anybody's sensitiveness or hurting the modesty of Mr. Heidt, have opened our loyal and true hearts and with all sincerity request that, if it be possible, our dear chief may remain at the head of his charge in this city for a long while, for the good of the city and of its inhabitants, until he has brought to a successful termination the progressive impulse which he has given by his energetic initiative, with the noble wish of improving this city and placing it on a level and in conformity with civilized nations.

Please grant us this special favor, for we are perfectly confident to the consequences if your excellency will only use your powerful influence with the honorable heads of the supreme Government of these islands and of the mother country, the great North American Republic.

Acknowledging ourselves, respectfully, your subordinates, we are,

ALBERT AGUIRRE.
(And 46 others.)

MANAPLA, *March 11, 1901.*

[First Indorsement.]

HEADQUARTERS THIRD DISTRICT,
DEPARTMENT OF THE VISAYAS,
Bacolod, Negros, April 24, 1901.

Respectfully forwarded to the adjutant-general Department of the Visayas.

The district commander is very much pleased to hear from the citizens of Manapla that Lieutenant Heidt's handling of the business as commanding officer at Manapla was such as to bring forth the inclosed opinion.

C. W. MINER,
Colonel Sixth Infantry, Commanding.

[Resolution.—United States local presidency of San Remigio.]

The local presidency of the town of San Remigio of January 12, 1901: Assembled herein, the members of the local Junta and like persons of distinction, the president reiterating the proclamation issued on the night of the 11th in reference to placing all the palay for the protection of the American troops, according to superior orders, and for the fulfillment of this to take it to Sibalom, where there is a detachment of these troops. All those present represent unanimously that this faithful town, which has submitted from the beginning to the banner of the United States, has the great desire of manifesting its ever-loyal obedience to superior orders, but the great distance of two leagues, more or less, between this town and Sibalom, the bad condition of the roads, the small amount of palay in the city of San Remigio, which is insufficient for the subsistence of its poor inhabitants not for a year but for a few months, mourn over the sad condition and miserable prospect of depopulation and abandonment of the city by its inhabitants, having lost their interest, which if not remedied are at least necessary so as not to become victims of ruin and disaster. Likewise the rural population—called mountaineers—that exists in the same will find itself in the impossibility to earn their livelihood by honorable work on account of lack of immediate salary, as they are lacking in civilization and capacities to go to other places to which they are not accustomed to go, they will go to the forests where they have come from to resort to robbery and perversion, increasing the disgrace of this city, laying a hand to its destruction and annihilation.

On this account we are of the unanimous opinion to prefer by means of this to present a humble supplication to the corresponding authority to order that in consideration of the fatal consequences which may befall this city, which for its part fulfilled the obligations imposed by the general order as well as the fulfillment of paragraph 1 of the proclamation of the distinguished General MacArthur of the 20th of December ultimo, to claim from the corresponding authority the protection to which this city has a right, as is stated in this paragraph 1 of the memorable proclamation, for in the contrary case the citizens are exposed in their lives and property to the horror and vengeance of the insurgents and will not be able to fulfill the memorable general order. For their threat to this city is notorious.

With all that has been said, to end the present request all those present have placed their signatures with the president, to which the secretary testifies.

FLORENTINO MAPRI.
(And 23 others.)

[The translation is literal. The grammar of the Spanish being very bad it was impossible to render it in good English.]

OFFICE OF THE MUNICIPAL PRESIDENT,
December 13, 1901.

The MILITARY GOVERNOR OF THIS ISLAND,
Bacolod.

SIR: In an extraordinary session held yesterday by the municipal council among other things it was resolved to remit to your excellency a manifestation of gratitude, by the hands of the undersigned, that this pueblo is extremely grateful for the services rendered by the soldiers of the Union who have disinterestedly risked their lives in the defense of this pueblo and its interests during these abnormal times from bandits and outlaws, and owing to this protection this pueblo has enjoyed a complete pacification and tranquillity, and especially the hacienderas who have been enabled to resume their work in the fields during the past year, as is proven by the present crop.

For which reason its inhabitants, in union with its president and councilmen, can not do less than express their thanks to the representative of the United States in this island, extending the same to the officers and the soldiers who have labored in the pacification of this pueblo for the last two years.

Yours, very respectfully,

ANTONIO GATUALAO.

The MILITARY GOVERNOR:

We, the undersigned, representatives of the town of Silay, have respectfully to state to you the following:

When the news was circulated in town this morning that the company of American troops garrisoned here under command of Mr. Purdy was preparing to leave this town, no doubt in obedience to your orders, the effect produced on the inhabitants was very distressing, as if beloved brothers were about to go away and forsake them: for in reality, excellent sir, Mr. Purdy and all his soldiers have behaved thus far perfectly in respect to their mission to watch and guard the safety of persons and property of this community and in their social and neighborly relations, as also in regard to the improvement of town, so that they are nothing less than sons of the town itself, who take interest in its welfare as much as we who subscribe hereto. This fact has naturally established confidence among the inhabitants as to their security, welfare, and tranquillity.

As was said before, the effect produced by the intended departure of Mr. Purdy and his soldiers from this town is distressing, for the inhabitants see that they will be deprived thereby of the immense advantages which they enjoy by being under the faithful and thorough protection of said soldiers. Therefore, excellent sir, we, the under-

have been impelled to refer the matter to your excellency's
ty, as we are doing in this respectful statement.
are not attempting to oppose your excellency's orders, nor
ess to interfere with their execution, but are merely manifest-
your excellency the feelings of this community, in order that,
appears to merit your consideration and if our object does not
re with the actual needs of the public service, we may hope
ur excellency may suspend your orders and allow Mr. Purdy
company to continue to garrison this town.
is a very great favor which this town hopes to receive from
excellency's magnanimity, and may God save you many years.
February 17, 1901.

VICENTE MIRANA,
(And 91 others.)

MILITARY GOVERNOR OF THIS ISLAND:

undersigned members of the local government and citizens of
pueblo of Silay, having heard that Lieutenant Druillard of the
an force is shortly to be transferred elsewhere, in haste pre-
emselves to your excellency and humbly request that if it is
sible for Señor Hannigan to return to this pueblo, you will
sed to intercede and obtain the suspension of the transfer of
Druillard for the weighty reasons which with your permission
proceed to state:

. That Señor Druillard, on account of the knowledge he has
d of the ways and customs of the inhabitants of this pueblo,
ontribute much to the tranquillity of same;

nd. It is also a matter of public interest that he remain in this
for the rectitude and justice which he has demonstrated in all
lings up to the present, and

1. On account of his knowledge of the topography of the
n part of the island, he would undoubtedly be of great value
ase of military operations and for the tranquillity and welfare
pueblo.

rtue of which we earnestly entreat your excellency take account
foresaid reasons and accede to our petition.

favor we have no doubt of obtaining from your excellency,
mportant life may God preserve for many years for the pros-
of these islands.

February 11, 1900.

LUIS JAYME.

nty-five signatures.)

SAN JOSE DE BUENAVISTA, PANAY, P. I.,
February 17, 1902.

NDING OFFICER FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

ough commanding officer, province of Antique.)

I have the honor to inform you that Señor Leandro Fullon,
or-elect and late insurgent chief of this province, yesterday

appealed to me to use my best endeavors to retain American troops in this province. He had heard that they might be withdrawn. He stated that when he was an insurgent leader he believed it his duty to maintain the struggle as long as possible, but that now he has taken the oath of allegiance to the United States he wishes to demonstrate his loyalty to that Government. He fears that if the troops are withdrawn some lawless element might create a disturbance which would be beyond the power of the constabulary to control, and that he, Fullon, might fall under suspicion. He does not wish to be held responsible for the good order of the province in case American troops are withdrawn, and requests that at least one company be retained at this capital indefinitely.

In forwarding this statement, I might add that the climate of the west coast of Panay is very healthful, and that San Jose is considered a most desirable station.

Very respectfully,

W. A. HOLBROOK,
Captain, Fifth United States Cavalry, Governor.

PANDAN, P. I., *December 7, 1900.*

The COMMANDING OFFICER OF PANDAN.

SIR: The undersigned residents of Sebaste and members of the hunta local do say: That they came to Pandan in representation of the unanimous and spontaneous desire of the inhabitants of their town to take the oath of allegiance to the American Government and recognize its sovereignty in these islands, also all laws originating from this grand nation, without mental reserve or purpose of evasion. As a representative of the United States Government we make these facts known to you that you may take some steps to remedy the situation in Sebaste. As the interests of the town have been greatly diminished, as it has been, and is yet one of the towns most cruelly invaded by ladrones. As its topographical situation is such as to place it at the mercy of this danger without any resources capable of defending it, and for this reason all of the inhabitants of the town have abandoned their homes, not being disposed to be left to the mercy of the ladrones.

They therefore implore you that upon receipt of this petition you will remedy the situation so as the inhabitants may return to their homes without danger and work their lands.

CANDIDO DIOSO.
MARTIN ESPARAGOSA.
JUAN DRONELA.
EUGORIO MECINT.
SIXTO DIONELA.
GREGORIO ARMUNER.
BERNADINO DIOSO.
MAVEIDO DELALEN.
MANDNO PEXETO.

[Extract of the most essential subjects that have been asked for by the authority of the *Azonal* commission named for popular suffrage in their pueblo.]

First. The commission will solicit permission from the American authorities to reconcentrate if possible all palay of the neighborhood

within the limits of this town. Nevertheless, it will later be brought under the protection of the troops who may garrison this place. The difficulty in transferring same article to other towns occupied by said troops, the inconvenience in the communication with other places by land and by water, the distance between this town of Patnagon and those garrisoned, all should be considered.

Second. If the above petition can not be granted, the commissionaires will solicit an extension of the time during which the palay should have been brought in, or should the new term be from the 1st until the 15th of February.

Third. They will also request that the amount of palay considered sufficient as a week's subsistence for each family will be increased to a number of cavanos enough for the period of two weeks.

Fourth and last. Also will the commission request that for a family who only possesses five or six palay should be excepted from the obligation of transporting their palay to the towns occupied by the troops, taking in consideration the small amount and how soon the same can be consumed.

In view of the above-mentioned, the commissioners will in the name of the whole town kindly request from the American authority its consideration and benignity for these poor inhabitants; may always be remembered the difficulties in the communication, both by land and water; the first with its roads in serious condition and the latter with often high sea.

SAN JOSE DE BUENA VISTA, PANAY, P. I.,
February 13, 1902.

The ADJUTANT-GENERAL FIFTH SEPARATE BRIGADE,
Iloilo, P. I.

SIR: I have the honor to acknowledge receipt of your telegram, February 11, instant, and to state there are no petitions on file here for retention of garrisons. There are four letters bearing on the subject, which are inclosed herewith.

Very respectfully,

R. H. R. LOUGHBOROUGH,
Major, Sixth United States Infantry, Commanding.

The CIVIL GOVERNOR:

Valentin Obregon and Ygnacio Chaves, presidente and military chief, respectively, of the pueblo of Abuanan, in the name and representation of the pueblo, have the honor of stating to your excellency as follows:

That being informed that in the woods near by this pueblo of Abuanan there exists a numerous group of gang robbers who propose to plunder the pueblo and to reduce to ashes all the houses existing in same, the residents had to take refuge in various pueblos in which there is a detachment of American and insular troops, leaving the pueblo half deserted on account of having no arms with which to resist an invasion.

The good reputation of the pueblo of Abuanan having for some time been falsely assailed by some of its inhabitants, who up to the present have not been able to prove their statement, we have to-day the honor of stating same to your excellency and imploring your protection by,

if possible, granting even though only a small detachment of American soldiers, in order that with them we may be enabled to pursue and if possible exterminate these disturbers of the peace.

Favor and justice we beg for, wishing you health and fraternity.
Bacolod, May 14, 1900.

VALENTIN OBREGON.
YGNACIO CHAVES.

The Señor CIVIL GOVERNOR:

The presidente, council, and their fellow-citizens of the pueblo of Abuanan, undersigned, of your excellency, respectfully, impelled by fraternal love, humbly and with one voice implore your excellency to grant the following petition, if considered to be in order:

First. The pueblo of Abuanan, in the majority of its citizens, request its continuation as a pueblo, and to be obedient to the orders of this superiority and propagate for its progress and prosperity in time, but under existing conditions, situated in the interior of the island, close to the mountain "Canlaon," where frequently dwell bad characters who disturb their peace, tranquillity, and way of being, beg with one voice that there be offered a detachment of armed American troops as a garrison for the security and protection of public and private interests.

Second. That if our government does not pity and does not accept this petition for our security and defense, to order its segregation and attachment to its matrix, which is the pueblo of Sumag, is our desire, leaving to the just and intelligent judgment of our government to estimate and appreciate this affair.

Third. The most permanent inconveniences which at present affect the inhabitants are the ravages of the famine with which they are threatened and the want of articles of prime necessity, and are all stricken with sorrow because the pueblo being defenseless, no one dares establish themselves for the purchase and sale of said articles for fear of being invaded by the evil doers. For which reason we humbly entreat your excellency will hold, as presented, this memorial and, considering the justice of our petition, will be pleased to order what may be deemed most convenient for the good of your subordinates.

Favor and justice we desire to obtain from the paternal benevolence of your excellency, whose life may heaven preserve for many years.

ABUANAN, May 21, 1900.

(26 signatures.)

[Second Indorsement.]

HEADQUARTERS SIXTH UNITED STATES INFANTRY.

Bacolod, Negros, P. I., May 31, 1900.

Respectfully returned. I can not see that Abuanan has any strategic value, and I am much averse to further dispersion of the troops in this island, particularly as the wet season is approaching. To keep small detachments at unimportant places merely because the citizens desire the presence of the troops would be to invite disaster in case of an uprising. It would be a far better measure and more economical to concentrate the troops at such places and in such numbers as to be able to strike quickly and with effect. My conversations with the district commander have led me to believe that he is in accord with the measure of concentration.

C. W. MINER.
Colonel, Sixth Infantry, Commanding.

LEGASPI, *March 19, 1902.*

Governor WRIGHT, *Manila:*

Just informed that greater portion of Ninth Cavalry have been ordered out of this province. Kindly request of General Chaffee that as long as a portion of the Ninth Cavalry remains in the province, that the headquarters and Colonel Godfrey also remain. His work with the civil government is most satisfactory and pleasant.

BETTS, *Governor.*

Official copy respectfully furnished Maj. Gen. Adna R. Chaffee, United States Army, commanding general and military governor in the Philippine Islands.

LUKE E. WRIGHT,
Acting Civil Governor.

By BEEKMAN WINTHROP,
Assistant Executive Secretary.

[First Indorsement.]

HEADQUARTERS DIVISION OF THE PHILIPPINES,
Manila, P. I., March 26, 1902.

Respectfully forwarded to the Adjutant-General of the Army in connection with his cablegram of February 5, 1902, directing that such papers be forwarded.

ADNA R. CHAFFEE,
Major-General, U. S. A., Commanding.

The MILITARY GOVERNOR OF THE PHILIPPINES.

SIR: Don Felix Magsaysay, municipal president of San Antonio, province of Zambales, the consejales, municipal residents of same, and the people in mass, with due respect beg to state:

That they have learned, and from their hearts regret, that the military detachment of this town, with its officers, the unconquerable and punctilious Capt. Joseph P. Oneil and the honored and genial Lieut. D. Donald, are about to depart to another province in obedience to orders.

The undersigned are ignorant, honored sir, the wise purposes of the government, which have caused the withdrawal from this place the said detachment, but it is a fact that with their departure our personal tranquillity will be affected, because with the presence of this detachment very many evils are avoidable, for, while there is nothing to be suspected of those peaceful inhabitants, who, with all their heart, desire to live according to law, it is possible that there may be some who, for selfish purposes, may advocate the erroneous ideas of those who yet continue, with arms in their hands, defending the ideas which have been abandoned by all pacific and honorable men who are lovers of order.

Not only this is to be feared, honored sir, but more to be feared are the robbers who live in the forests, without political ideas, and who kill and rob the honorable residents of the towns, and who, together with the Aetas, rob even to the last one of the few animals that

remain, so necessary at present for farming, which is the only source of riches in the country.

Note, honored sir, the topographical condition of the town, i. e., its strategic situation, and a bird's-eye view, and the conclusion must be reached that it is full of danger. Experience has demonstrated that there is and in the past there has always been incursions of Tulisanes and ladrones.

The sovereignty of America is not endangered in these islands, because the Philippine mind is now convinced that they have not set foot on these shores in order to enslave, but in order to give greater liberty to this country. That sovereignty, we repeat, is not endangered, the basis of our most precious aspirations, because the American policy is the true policy that is adapted and is adjusted to practical life; that which is endangered is some lives, precious lives of those who love with conviction and with the heart in the present and actual state of these places. And these lives that have order, these honored lives nourished with the ideals of the great American nation, do they not deserve some protection?

The inhabitants of this town, honored sir, have heard time and again from the officers of the Army that the American nation would protect honest men.

In order to secure this protection, in order that it be a reality, the undersigned appeal to you, honored sir, imploring your excellency to order the detachment at this place to remain, together with the officers above mentioned and the company composing the same, and if our lealty to the American nation is not rewarded, because we do not need a reward in order to comply with duty, at least the unconquerable Captain Oneil should be rewarded, the pacifier of this province, for both here and in all these towns he has won general sympathy and confidence. It is a favor compatible with justice, and we doubt not that he merits the same from your excellency, whom may God preserve many years.

San Antonio, March 4, 1902.

JACINTO PABLO.
(And 65 others.)

HEADQUARTERS FOURTH SEPARATE BRIGADE.

DEPARTMENT NORTH PHILIPPINES.

Nueva Caceres, Camarines Sur, P. I., March 20, 1902.

ADJUTANT-GENERAL, DIVISION OF THE PHILIPPINES.

(Through military channels.)

SIR: I have the honor to inclose herewith, in answer to your telegram, petitions from Bulan, Donsol, Irocin, Matnog, Lupi, and Ragay for the retention of troops at those places. These are all the petitions on file at these headquarters. I have, however, received letters asking that troops be stationed at San Narcisso, Tayabas, which request has been complied with; also a letter from Guinayangan that troops be not withdrawn, and from various other points in Tayabas for the protection of towns by troops. These, however, are not available, as some of them were verbal, others telegrams and letters which have been referred back to the writer, and no copy was retained at these headquarters. The presidente at Dact has personally appealed to me two or three times not to withdraw the troops, as the effect would be

and, and it is probable that if troops were withdrawn disturbances might occur, and it is possible that troublesome times would make their appearance. On the removal of troops from Polangui and Ligao, various rumors were circulated that bands of insurrectos were in the neighborhood, causing much disquiet among the people and considerable unrest. This I believed to have been started for the purpose of having troops returned to those places. In fact, I might say that the withdrawal of troops from towns is not looked on with favor by the natives themselves.

The fact that petitions have not been forwarded from all towns for the retention of troops is only due to the fact that the retention of troops was considered more or less permanent to the towns and the idea of their removal had not occurred to the inhabitants of the town. In all instances where petitions have been forwarded it has been immediately after some rumor that troops were to be withdrawn, and this shows that the true sentiment of the people is that troops remain in the towns, and that the people in the towns have confidence in the fairness with which they are treated by the military. There have been, of course, complaints from different towns in regard to certain troubles with soldiers, but in all cases they have been adjusted and the offenders brought to trial. There is no doubt in my mind that during times of insurrection, when no soldier or officer knows who is his friend and every native must necessarily be considered an enemy, and when it was possible the natives, during their fanatical movements, might attack a garrison and massacre the whole company or detachment, that natives were in some instances treated roughly; but the times were such that extraordinary measures had to be taken, and division orders contemplated that no garrison should lay itself open, and the safety of soldiers demanded that rigid discipline prevail to avoid a possibility of disastrous massacres. The treatment by soldiers and officers of natives consider to have been exceptional, and the natives have been shown every consideration, and all wrongs which they have reported have been investigated and the guilty party punished if the facts warranted such punishment.

It is a common rumor among the people of this section that they have been, with a few exceptions which are necessarily unavoidable, treated with great fairness, and the people of this brigade are friendly disposed toward the troops. They frequently, now and in the past, come to officers for advice, for information, and for various other things pertaining to their affairs, and the people look on the officers as their best friends, and their faith in the officers in whom they have confidence is unquestionable.

I have received various communications and verbal reports from residents whom I have met, and I have discussed the matter with them, and in general I can state that relations between the military and the people of the brigade are most cordial. On the arrival of the order for the move of the Ninth Cavalry from the province of Albay, one of the most hostile provinces in this brigade a year ago, the governor of the province telegraphed asking that the headquarters of the regiment remain in the province, as "his relations with the civil government had been most satisfactory and pleasant," which is a good indication of the true state of affairs and of the cordiality existing there. I do not doubt but that on the final withdrawing of the garrison from each town that this act would be followed by peti-

tions from the people asking that troops be retained, and the only reason that it is not now forwarded is because the people themselves are probably of the opinion that there is no possibility of the troops being withdrawn from the towns.

Very respectfully,

F. D. GRANT,
Brigadier-General, U. S. A., Commanding.

MATNOG, *February 21, 1902.*

SEÑOR CIVIL GOVERNOR OF SORSOGON.

SIR: I have the honor of forwarding a certified copy of the municipal agreement in fulfillment of the esteemed order of the 14th of the current month.

Very respectfully,

DOMINGO GITE,
Municipal President.

MATNOG, *February 21, 1902.*

As municipal clerk of this municipality I certify that in this book of minutes under my charge there is an agreement of the following tenor:

In the municipality of the town of Matnog, province of Sorsogon, P. I., on the 20th of February, the municipal council being assembled in full in a special session the señor president presiding, there was read by the clerk an order of the civil governor of this province, of the 14th current, desiring to know the opinion of all the councilmen if they consider necessary or not for the security of this town the permanent stay in it of the regular troops garrisoning it at present.

After deliberation, all the members constituting his council declared unanimously that with regard to this neighborhood there is not the least danger that the detachment be surprised, for all are truly faithful to the authorities established, so that nothing can alter the habitual order and tranquillity; but that the special situation of this town, the port of which, the surest if not the best of the whole province, and so to say, the point of obligatory embarking and disembarking of insurgents who from Samar desire to go to Luzon, and vice versa, exacts the permanent stay of regular troops, which at present constitute its detachment, especially on account of the vicinity of the already mentioned Samar which is not yet completely pacified.

Such is the unanimous opinion of those who sign, who, if they should allow themselves to make a request to the authorities, would beg to avoid that with the departure of the troops there should depart the security which we hoped to possess from this vicinity, and will be sought in larger centers of population. This will be confirmed and signed by all the members of this junta. Domingo Gite, municipal president; Valentin Garay, Antonio Genabia, Ruperto Garfin, Apolonio Garcia, Bacillo Gallon, Florencio Gama, Bonifacio Garduque, Anacleto Garvilas, Eusebio Garalde; Gil Brico, municipal clerk.

And, according to the prescriptions of article 20, paragraph 1, of the municipal code in force, the present is duly certified.

GIL BRICO, *Municipal Clerk.*

This is to certify that in the book of minutes of this municipality found an agreement with the following text:

In the municipal house of the town of Donsol, province of Sorsogon, on the 22nd of February, 1902, being assembled in a special meeting under the presidency of Señor Don Rodrigo Abitria, Municipal President Don Teodorico Abitria, 2nd councilmen Don Dionisio Pacheco, Don Damaso Abrantes, Don Tomas Tolosa, Don Alberto Abadillos, Don Mariano Pacheco, Don Meliton Abadines, Don Gregorio Abadines, and Don Gorgonio Raso, I, the municipal clerk, being present, the pre-

dent made known to the council the order of the civil governor of this province of the 14th of the current month, in order that all the members of the same express their opinion if it be necessary for this town to keep permanently the regular forces for the security of this town, notifying the councilmen that their opinion is free according to what each of them considers potent for the good of the town; in consequence of which, after a long and deliberate discussion, all unanimously declared that the permanent stay of the regular forces is necessary to this town for the following reasons:

(1) For while the province of Samar is not entirely pacified there is constant danger that some vessel, in spite of the vigilance exercised, might disembark on this coast and create an insurrection by imposing it by force.

(2) For on the line of coast from here to Pasacao there is no detachment of regular forces and, should the one here existing leave this town would be placed at the mercy of any party coming here from Tayabas and Camarinez, and even from Batangas.

(3) That there is no insurgent party, yet there are bands of tulisanes (robbers, bandits) from San Narciso (Tayabas), who, knowing that there is no regular force, will rush against this town and its districts, as shown by the experience of past times; for, owing to the fear and danger from the tulisanes the Spanish Government detailed here a detachment of the civil guard. With this the minutes are closed, extending the present act signed by the gentlemen above mentioned, after the president, to which I, the municipal clerk, certify. Rodrigo Abitria, municipal president; Teodorico Abitria, Dionisio Pacheco, Damaso Abrantes, Tomas Toledo, Alberto Abadillos, Mariano Pacheco, Meliton Abadines, Crisanto Abadines, Gorgonio Raso; Benito Llantado, municipal clerk.

It is in conformity with its original, copy to which I refer, and in order that the present be forwarded to the civil government of this province, signed with the signature of the senior municipal president of Donsol on the 18th of February, 1902.

RODRIGO ABITRIA, *Municipal President.*
BENITO LLANTADA, *Municipal Clerk.*

LUPI, March 10, 1902.

THE GENERAL OF THE PROVINCE OF AMBOS CAMARINES.

SIR: We, the undersigned representative citizens, presidente mayor, vice-presidente (vice-mayor), and the councilmen, having learned that our lieutenant, commanding officer of American detachment stationed in this new municipality, Mr. Smith, who has honored our town Lupi by his presence, is now to leave us, beg you humbly, General, not to relieve our lieutenant commanding from duty in our town, on which he has been bestowing honor, and let him remain for a few years; and we furthermore ask you to consider kindly this letter and decide in favor of our petition, of which we do not doubt, knowing the kindness of our General.

Very respectfully,

CANUTO ALINO, *Presidente.*
(And 15 others.)

HEADQUARTERS FOURTH SEPARATE BRIGADE.

DEPARTMENT NORTH PHILIPPINES.

Nueva Caceres, Camarines Sur, P. I., March 20, 1902.

PRESIDENTE, Lupi, P. I.

SIR: I have the honor to inform you that the brigade commander directs me to acknowledge receipt of your letter, signed by yourself as presidente and the councilmen of Lupi and other residents of Lupi,

to the number of 15, petitioning that Lieutenant Schmidt, Twenty-sixth Infantry, be retained at Lupi, with his company.

Previous to the receipt of your letter, however, orders had been issued for the withdrawal of that company and leaving a detachment of 1 officer and 20 men for the protection of the inhabitants of Lupi and vicinity; and it is believed that, owing to the present conditions in Lupi and the neighboring country, that this force is more than sufficient to protect all the inhabitants of Lupi and the vicinity of Lupi against any depredations of the few remaining ladrones now left in that section.

The brigade commander is very much gratified to learn through your petition that the military stationed at Lupi has been of material assistance to you in establishing the civil government of the town and that affairs there have been so harmoniously carried on; and in order that the people of Lupi and vicinity may enjoy that peace and prosperity which the beneficent Government of the United States entitles them, the brigade commander desires that you and your councilmen and the inhabitants of Lupi and vicinity use your utmost endeavors to capture or destroy the few remaining ladrone bands in that section, the existence of which is a constant menace to the peace and prosperity of that pueblo; and in this matter it is desired to give you all the assistance that is possible, and you will find it to your advantage to confer with the officer in charge of the troops at that station upon the various questions which may come up, and by your working harmoniously with him great good can be accomplished and the people enjoy the good government which is the aim of the American people to give them.

The company asked for is now required at other towns and cannot be returned to Lupi, but the detachment of 20 men under a commissioned officer now there is sufficient, with your present organization, to take care of all disturbances that may arise, and in case of necessity you are assured that additional troops can be furnished Lupi within twenty-four hours. This, however, beyond question, will not be necessary, as evidenced by the good sentiment at the present time of the people of Lupi.

Very respectfully,

P. W. DAVISON,
Captain, Twenty-second Infantry.
Acting Assistant Adjutant-General.

— — —
RAGAY, *March 18, 1902.*

THE GENERAL FOURTH SEPARATE BRIGADE.

HONORABLE SIR: The undersigned president and councilmen of this municipality present this before your worthy authority and express: That, truly interpreting the sentiments of the inhabitants of this town, we call your attention to the kindness and respect they have for Captain Hutton, who is commanding this detachment. From the day he came to this jurisdiction he succeeded in getting all of us to come in and helped us in rebuilding our houses that had been burned on account of the war, and we all from that day saw in him not only an agent of the Government but a kind father that worked and watched for the well-being of the inhabitants. If there are a few persons yet in the woods they can not have our sympathy, as we know they are

ing to our disadvantage, because they ignore the just purposes of Captain Hutton in working for the peace and tranquillity of this town.

on our part, use all the means we have in our power to help the town in the realization of his worthy desires.

and for ourselves and in the name of all the residents of this town respectfully request that our young town be not deprived of the present gain, for the sake of the just and honest purposes of our worthy President Roosevelt, who through the authorities of this archipelago that "America had not come to the Philippines to make slaves of natives, but to give them a prosperous government."

We again humbly request that Captain Hutton be not relieved until the town is completely pacified and everybody has accepted and recognized the supreme authority of the United States of America.

Captain Hutton be relieved we hope it will be by another officer good as he and with the same ideas and purposes, although it would be best for Captain Hutton to remain, as we all know him and he loves us and has the deepest sympathy of all the inhabitants of this town, and we all well know that it would be very difficult to find another man that would take at heart the interest of this town, as far as helping us to rebuild our town, as Captain Hutton does. And we repeat that our strongest desire is that Captain Hutton be stationed here until this place is completely pacified.

We also request, if you deem it right, to elevate this petition to the Major Chaffee for his information and his officers'.

Hoping a favorable consideration of this petition, we remain,

Yours, respectfully,

(Signed by 52 citizens.)

HEADQUARTERS FOURTH SEPARATE BRIGADE.

DEPARTMENT NORTH PHILIPPINES,

Nueva Caceres, Camarines Sur, P. I., March 19, 1902.

PRESIDENTE RAGAY, CAMARINES SUR, P. I.,

SIR: I have the honor to inform you that the brigade commander directs me to acknowledge the receipt of your petition, signed by 52 citizens of your town, for the retention of Captain Hutton and his command at that place. The brigade commander directs me to assure that there is at present no intention of removing those troops, and assure you that so long as troops are necessary for the establishment of good government no recommendation will be made to withdraw them.

It is the desire of the brigade commander that the people of the town of Ragay assist as much as possible the troops stationed there to pacify the territory in the vicinity of Ragay and to aid them in capturing the ladrones who are left in that vicinity. It is with great satisfaction that the brigade commander learns through your petition that you are in harmony with the military, and you can be assured that it is his intention to fully cooperate with the civil authorities, to the end that peace and harmony may be restored and that the people of Ragay, as well as all other people in the islands, may enjoy the pleasures of peace and prosperity and good government, which they will inevitably obtain when all assist in establishing peace and take steps to rid the country of ladrones and others who can have no interest but what is

detrimental to the peaceful element; and it is the brigade commander's desire to see prosperity and happiness among the Filipino people, and this can never be accomplished until the people themselves as a body take hold of matters and work to the end that perfect peace is established.

The brigade commander appreciates the good change of sentiment among the people of Ragay within the last year, and at present Ragay has a promising future, and with the subjection of the few ladores in the vicinity the peace and quiet of Ragay must eventually be established; and it is the brigade commander's desire that you and 52 citizens who signed the petition for the retention of troops do everything in your power to convince those who still fail to accept the sovereignty of the United States that it is for their best interests to do so, and that by their continued refusal they only retard the peace, happiness, and prosperity of their country, and prevent the good people of these islands from enjoying the peace and prosperity which under the beneficent Government of the United States they are sure to attain. Your petition has this day been forwarded to the commanding general Division of the Philippines, as per your request contained therein.

Very respectfully,

P. W. DAVISON,
Captain, Twenty-second Infantry.
Acting Assistant Adjutant-General.

BULAN, *February 21, 1902.*

COMMANDING OFFICER OF THE DETACHMENT OF THIS TOWN.

MY DEAR SIR: I have learned, to my great sorrow, that the garrison of this town is, in compliance with orders from above, about to evacuate and leave us absolutely without defense or protection, in consequence of which I beg you and the Government of the great American nation to leave with us at least 25 or 30 men, under your command, in order that we may feel secure from any invasion that might occur, especially from the side of the neighboring province of Samar, in which the insurrection is still extant.

Yours, very respectfully,

MARIANO MORATO.

BULAN, *February 22, 1902.*

TO THE LIEUTENANT IN COMMAND AT THIS TOWN.

SIR: Having learned that the American forces detailed to this town are about to leave it, I take the pleasure in informing you that I am not in favor of this; for, although it is true that nothing is to be feared from this province, still the proximity of this locality to Samar may prove a source of constant danger, as it would not be strange if the persecuted rebels dashed across this territory to disturb peace as much as it would please them. For this reason I beg that the force in question be maintained, or that at least a detachment reduced to 30 be left here.

Respectfully,

JUSTO LOMA

BULAN, *February 22, 1902.*

LIEUTENANT IN COMMAND AT THIS TOWN.

SIR: Proximity of Samar to this town is, in my opinion, a constant danger to the tranquillity of the town and its surroundings, and it is very understood that the new blow which the American arms will deal in that island will result in this, that some whom it will affect will dash across this locality disturbing the peace which we are enjoying.

Consequently, having been informed that the force stationed here is to be transferred elsewhere, I beg leave to state my opinion that they ought to be maintained or that at least 50 privates and one officer be left.

Respectfully,

ZACARIAS ASUNCION.

MILITARY COMMANDER OF BULAN.

SIR: It is stated that in compliance with orders from above the garrison of this locality is to withdraw. For safety's sake I beg you to sign up a petition asking to continue the garrison, at least one reduced to 50 soldiers, inasmuch as the security and good order of this part of the province, almost in contact with Samar, may become exposed to danger, and there may be some who, owing to lack of an armed force would guarantee tranquillity, would embrace the opportunity of an incursion (with or without the protection of those of Samar) so that intranquillity and highway robbery would spread as in former years.

My opinion expressed by the municipality which is not in conformity with the views which I have the honor to express is, to say the least, premature, and in my opinion, one which has not been given consideration, and to support my view I only have to call attention to the fact that the municipalities usually lack foresight, as has been demonstrated in the past events.

Thanking you in advance for your good services in securing the continuation of the garrison until Samar shall have been pacified.

I remain, your respectful servant,

(Signature illegible.)

BULAN, *February 22, 1902.*

THE MILITARY COMMANDER OF THIS TOWN.

MY DISTINGUISHED SIR: Having been informed with regard to the American detachment or garrison, which keeps watch over the tranquillity and interests of both the Filipinos and the foreigners, that there is under consideration its removal from Bulan, I, being a foreigner and a business man of eleven years' residence in the town, take liberty in informing you that according to my firm belief an unfortunate time for removing the military garrison, which has performed so well, so many, and so great services in preserving personal and material tranquillity of the Filipinos and foreigners, has not yet arrived.

I remain, sir, yours, attentively and respectfully,

JOSE PUJOL.

This to certify that in the book of acts and minutes of this municipal council there is a resolution which, literally transcribed, says the following:

Act No. 49. In Inrocin the 17th of February, 1902, the members of this council met in extraordinary session, having been previously convoked and being presided over by the honorable president of the same, I, the secretary, also present, with the object of consideration and deciding upon the communication of the civil governor of this province of the date of the 14th of this month; and that this was read in full in which was required the free opinion of this council as to whether a regular permanent force was required for the security of the city.

The said secretaries entered then into a careful deliberation over the question and resolved unanimously that it is of great necessity that the regular force should remain stationed in this city for its security, if the governor esteems it prudent. Thus they resolved to pass the present act and make a literal copy of the same for the civil governor and signed same in concurrence with the presidente, to which I, the secretary, certify.

EL PRESIDENTE

(Here follow the names of the members.)

In accordance with the original, and which corresponds thereto. I send the present literal copy, which I sign with the presidente.

CIVIANO GALERO, *Presidente Municipal.*

ANASTACIO RENTORIO, *Municipal Secretary.*

SAN JOSE DE BUENAVISTA, *March 4, 1901.*

General HUGHES, *Iloilo.*

SIR: We, the undersigned, citizens of this capital of a province, presided over by our municipal council and peace committee, have respectfully to state the following:

We received notice to-day that Mr. T. F. Huston, commanding the Nineteenth Infantry, who has been commander of this garrison ever since its military occupation, and who has given satisfaction to the inhabitants, owing to his good tact and methods, is to be transferred within a few days to another province by superior orders.

The news could not help causing surprise among the inhabitants, who regret extremely that Mr. T. F. Huston should cease commanding at this capital, especially inasmuch as his personal talents and ability to command are very essential to the pacification of this province. Therefore we, the undersigned, can not help begging of you to countermand, in view of what has been said, the order transferring said Mr. Huston and order him to continue as commander of this garrison.

May God save you many years.

ANSELMO ALICANTE.
(And 95 others.)

PATNONGON, *January 15, 1901.*

The AMERICAN COMMANDER:

We, the undersigned, citizens of the town of Patnongon, province of Antique, having learned of the orders given by the military governor of the United States in the Philippines in his last proclamation, dated December 20 last, as well as in your notification of the 9th instant, which you sent to the local commander of this town; and taking into account the precarious and distressing situation of all the inhabitants of this locality, as well as the difficulty of transporting our scanty productions of palay to the point where your detachment is

ned; and that the faithful execution of so imperative an order would ly aggravate the lamentable situation of the whole community, ng it very grave injury and entailing excessive expenses; and g into account, moreover, the bad harvests which have generally iled this year, owing to the ravages produced by locusts and other , and which are not expected to suffice for the needs of this town, eady the majority of the inhabitants are without anything to eat; s a few persons at least will have to attend to the multifarious duties, we can not help calling your attention to these things in that, if you deem proper, you may adopt some measure of assist- and relief for our weak shoulders, especially for the laboring who not only complain bitterly against the present abnormal tions, but also of the famine through which they are passing.

s useless to say, Mr. Commander, that in order to carry out fully id order it is absolutely necessary that three or four days be in transporting our products from this town to the point where etachment is stationed in order to place them under the protec- of the troops; this means three days of work lost for the head of ily, which he might otherwise devote to his own work or busi- in order to earn a livelihood for his family. Now add thereto, Commander, the necessity of hunting a storehouse in which to it said palay at the point where the detachment is stationed, in that it may not be lost, it being an essential article for preserva- of human life.

view of these considerations we find it necessary, in order that roducts may be under the protection of the American troops, to st of the proper authority, through you, that there be immedi- stationed in this town a detachment of the troops, under your s, to guard and protect our interests, thus preventing many ies which might arise from the transportation of said article from oint to another.

you are aware of the needs of a town, you will not fail to give pe that this matter will be settled in a manner to afford us relief n conformity with our just wishes.

d save you many years.

E. SAROANI.
(And 30 others.)

(Telegram.)

LEON, February 12, 1902.

TANT-GENERAL, *Holilo*.

re are no records here of petitions for retention of troops or es, but only because such things have always been discouraged. r word was received here about the 1st of February that the s would leave, the civil officials called on me in a body protesting st the withdrawal of the troops and stated they desired to visit rigade commander to request that troops remain here. This I ided them from doing. In every case where detachments have withdrawn from towns in this district the officials and people ally have protested and desired to know what they could do to orders countermanded. These I have always discouraged, as I ot deem it right to advise action on part of civilians with a view countermanding of military orders I have received.

CARSON,
Captain, Commanding.

LEON, PANAY, P. I., *February 12, 1902.*

Official copy respectfully furnished by mail.

THOS. C. CARSON,
Captain, Tenth United States Cavalry, Commanding.

TESTIMONY OF RICHARD T. O'BRIEN.

(Sworn by the chairman.)

By the CHAIRMAN:

Q. You are a citizen of New York?—A. North Adams, Mass.; I am now living in New York.

Q. You were living in New York at this time?—A. Yes, sir.

Q. And are engaged in business there?—A. Yes, sir.

Q. What business?—A. I am an actor; theatrical business.

Q. Oh; but your home is in North Adams, Mass.?—A. Yes, sir.

Q. Were you in the Army?—A. Yes, sir.

Q. And in what regiment?—A. Do you wish any previous service or my service in the Philippines?

Q. I would like you to state all your military service since your first enlistment.—A. I first enlisted in Battery K, Fifth Artillery United States Army, June 5, 1898, for the Spanish-American war. I was discharged February 21—I won't swear to the date, whether it was the 21st, but I think it was the 21st—1899, and I enlisted in Company M, Twenty-sixth Infantry, Colonel Rice commanding, at Adams, Mass., July 29. I was mustered out May 13, 1901, at San Francisco at the Presidio.

Q. A year ago?—A. Yes, sir.

Q. How long were you in the Philippine Islands?—A. Between seventeen and eighteen months.

Q. Were you a private?—A. I was a corporal.

Q. And received an honorable discharge when you were mustered out?—A. Yes, sir.

Q. During that service in the Philippine Islands where were you?—A. I was stationed at Iloilo; I was stationed at Tagbayan, I was stationed at Miagao; at Guimbal, and also at San Joaquin. I was in command at San Joaquin with 16 men after Sergeant Conway received his discharge.

Q. During that time of service did you see the water cure administered to the natives?—A. Yes, sir.

Q. State when. A. At Igbarras; I don't remember the day.

Q. Was it administered to the presidente there?—A. Yes, sir.

Senator CARMACK. Have you a memorandum of it?

The WITNESS. No, sir; I have not the date.

By the CHAIRMAN:

Q. That is the case that other witnesses have testified to?—A. Yes, sir. I would like to state something else I have not seen in the paper in relation to the burning of that town. There was a Spanish woman there, a highly educated woman so far as education goes, a graduate of the seminary at Molo, educated by the Sisters there. Her husband was a consumptive. At the burning of the town this woman was violated by the American officers.

Q. What officers?—A. I do not know their names——

Q. It is very important to know their names.—A. I don't know that, but——

Q. You say this woman was violated by the officers but can not give the names of the officers? Who were the officers who were there?—

A. Captain Glenn, Lieutenant Conger, and Capt. Fred McDonald, and Dr. ——; I can not think of the doctor's name.

Q. Dr. Lyon?—A. I would not swear to that; I disremember.

Q. Were those all the officers? Was no officer of your regiment present?—A. Captain McDonald, of my company.

Q. Was it he?—A. I don't know sir.

Q. Then what reason have you to say that they violated this woman?—

A. This is what I got from her own husband, that they violated her first, and afterwards she was violated by the enlisted men.

Q. And you do not know the names of any of the men concerned in it?—A. No, sir.

Q. You did not see it?—A. No, sir.

Q. You are repeating only what her husband told you?—A. Yes, sir.

By Senator DUBOIS:

Q. Was she a Spaniard—A. Yes sir; she was a mestizo; that is, a half-breed.

Q. Have you given the name of all the officers there?—A. Yes, sir.

Senator RAWLINS. I am of the opinion that cases involving such a charge as that ought not to rest on mere hearsay testimony.

The CHAIRMAN. The witness has made a serious statement, and made it under oath, and if he has testified falsely of course he is liable for perjury.

Senator RAWLINS. The witness has said he was informed so and so, and my point is that is hearsay testimony, and that it ought not to be admitted.

Senator PATTERSON. Of course, he is not liable for perjury whether these charges prove to be true or not, because he is speaking from hearsay, and gives his authority for the statements. I fully agree with Senator Rawlins that a statement of that kind, based solely upon hearsay, ought not to go on record.

Senator RAWLINS. It is not competent testimony.

The CHAIRMAN. It has already gone to the press of the United States, with the names of the officers.

Senator CARMACK. His statement is that the husband of this woman made this statement to him. That is your statement?

The WITNESS. Yes, sir.

Senator RAWLINS. The witness has given a statement, which, so far as I am concerned, I have no doubt he believes to be truthful, but it is secondhand.

The CHAIRMAN. The witness has volunteered hearsay evidence—made charges of the most revolting kind against officers he does not name. He was not asked that—he volunteered it.

Senator RAWLINS. We had statements volunteered from distinguished men here. ●

Senator PATTERSON. The chair and members of the committee have been emphatic in ruling out hearsay testimony——

Senator DIETRICH. Unless they gave the name, and this witness especially states the man who gave him the information.

Senator RAWLINS. The point I make is that it is not legal—that in a matter of this kind we should not take hearsay testimony.

Senator PATTERSON (addressing the witness). Did anything come under your observation that tended to support any such charge?

The WITNESS. At the time of the statement I made to the New York World, which was published at the time of the marriage of the presidente at San Joaquin, the town in which I was stationed, Sergeant Conway was in command of the town at the time. He gave a reception, and to this reception were invited some ladies from the city of Iloilo. They were high above the average peasant women and some of them were full-blooded Spaniards. During the evening they got intoxicated.

Senator DIETRICH. The women?

The WITNESS. No; the men. There were Captain McDonald, Lieutenant Plummer, and Major Cook, of Providence, R. I. They disrobed to their undershirts, took off everything except their undershirts and trousers, and put their undershirts outside their trousers, and started waltzing around the room and taking the women in their arms; and it was most repulsive to the women, as I learned afterwards from their own mouths.

Senator PATTERSON. Did you see this?

The WITNESS. Yes; I saw this. Every man in my detachment saw it. The next morning when the officers left the convent they came here. Say, here is the convent, and the plaza is in the center [indicating on table], and the house is at an angle of about 45 degrees from the convent, and they passed by here [indicating] and the ladies were standing at the window, and they saw them coming down the road and they stuck out their tongues at them and turned away and would not recognize them. It was childish, of course, on their part, but it just showed their feeling.

By the CHAIRMAN:

Q. What had that to do with the proof of the other charge? That was an instance of the conduct of those officers. Do you regard that as proof that those other officers violated the wife of this Spaniard?

Senator RAWLINS. I object.

The CHAIRMAN. He stated that as proof.

Senator RAWLINS. But he is not to pass his opinion upon what is competent.

The CHAIRMAN. He states as proof of what certain officers did at Igharras what certain other officers did somewhere else.

The WITNESS. I know where officers have gone to Padre Husto (!)—Captain McDonald and Major Cook --and Padre Husto has sent for the alcalde of the town and then they went up to a prostitute. Her name was Inez and her husband was a leper. I know positively he went into the house there while one officer stayed outside, and when the other officer came out he went in. That was witnessed by Private Gerry and myself.

By Senator ALLISON:

Q. Where are these officers now?—A. I don't know, sir. Captain McDonald was a representative of the Boston Globe, I think: a reporter or advertising solicitor.

Q. In the Regular Army?—A. No; in the volunteers.

By the CHAIRMAN:

Q. Was he captain of your company?—A. Yes, sir.

Q. Were you always on good terms with him?—A. No, sir; I was not.

By Senator ALLISON:

Q. Where is Major Cook?—A. In Iloilo Province.

Q. Also in a volunteer regiment?—A. Yes, sir.

The CHAIRMAN. The Twenty-sixth?

The WITNESS. Third Battalion, Twenty-sixth Infantry.

Senator PATTERSON. What was the trouble between you and Captain McDonald?

The WITNESS. I was continually protesting for rations. I have had detachments out while the signal corps were building a line over the San Jose Pass, and they were givenhardtack and bacon and coffee, where we were entitled to garrison rations.

We were given traveling rations, and we were entitled to garrison rations. We asked him that we should have garrison rations, because we had to turn in our hard-tack, bacon, and coffee, and they shared with us their beans and beef and corn and such other delicacies—they were delicacies to us at that time—and I thought it was an injustice to the signal corps and it held us up in a poor light to the signal corps to have to share the rations in that way. So I was continually protesting to Captain McDonald about the rations, and he kept transferring me from one station to another. He never had any occasion to reduce me. I was the senior corporal in my regiment.

By Senator ALLISON:

Q. In your company, you mean?—A. No; I was the senior corporal of my regiment. That is the only reason I can give of the ill feeling. I was not afraid of Captain McDonald. I respected him as an officer in rank, but as a man I did not. I ranked him as a thief, although I had no proof—

Q. As a man you ranked him as a thief?—A. Yes, sir.

Q. But as an officer you respected him?—A. Yes, sir; that is a soldier's duty, to respect an officer.

Senator ALLISON. I understand.

Senator DIETRICH. You say you have no evidence that he is a thief?

The WITNESS. No, sir; no evidence at all, only it stood to reason, from my own sense of judgment, that if we were not getting those rations the money was going some place else. We were entitled to 9 cents a day and entitled to garrison rations in a town with 16 men. I would be sent up—I was stationed 12 miles from Igbarras—and they would send up five or six bags of hard-tack, hard bread, every fifteen days in place of flour, and send bacon in place of the money for the meat we were entitled to get. We had meat twice a week, on Wednesdays and Sundays. The meat was killed at 9 o'clock, and we ate it at noon. They had bread there; the bread was made in Miagno. We never saw any bread but twice, and then it was not fit to eat. That was in seventeen months. That bread was sold—I would not swear to this; this is hearsay—

Senator PATTERSON. Then I would not indulge in it.

By the CHAIRMAN:

Q. Were there not other officers with the company besides Captain

McDonald?—A. Lieutenant Monogan was transferred to L Company, Sixth Infantry; John T. Ryan, quartermaster's assistant at Iloilo, in the quartermaster's department, and Lieutenant Plummer, who came to our command from L Company, in Patocan. There was a price on Captain McDonald's head there. That was a generally known fact.

Q. Who put the price on it?—A. The insurgents. He never dared to go out without a detachment.

Senator DIETRICH. Was not that true of other officers at Iloilo; was there not a price set upon the head of nearly every American officer?

The WITNESS. I don't know sir. But I know positively there was a price on Captain McDonald's head.

Senator ALLISON. Do you know what it was?

The WITNESS. No, sir.

By Senator PATTERSON:

Q. Do you know why?—A. For his cruelty and seeming barbarity.

Q. Did you ever witness anything to justify a statement of that kind?—A. No, sir; except in the case of Tubernan, topographical officer of the insurgents. He surrendered to Captain Gregg at Leon. He came to San Joaquin. The alceda, who was his cousin, and I received orders from General Hughes through Captain McDonald to put this Tubernan under arrest. I secured him and put him under arrest. He had a wife who was in confinement at the time, and I interceded for him and got the priest to intercede and some of the officials of the town to intercede for him and have him paroled. He was paroled. Captain McDonald came to the town one day. I suppose he had orders to take Tubernan to Miagao. Tubernan did not move fast enough for him, and I saw Captain McDonald hit him over the head with the butt of his revolver.

Captain McDonald is a highly educated man; he speaks several languages; he was an engineer; and after the oath of allegiance was administered—I know this for a positive fact, because I administered the oath of allegiance to him myself—this man was given the water cure at Leon. I got that from his own lips.

By the CHAIRMAN:

Q. Did you see it?—A. No, sir.

Q. You did not see that?—A. No; but I know I had given the oath of allegiance to him, and he left the town with Captain McDonald, and he was taken to Leon and there given the water cure after the oath had been administered.

Senator PATTERSON. What do you base that statement on—that he was given the water cure?

The WITNESS. He showed me sores on his arms where he had been bound—they had not yet healed; and he described the sensation to me.

Senator CARMACK. For what did they give him the water cure?

The WITNESS. To try to make him confess, I suppose; I would not say, because I do not know.

By the CHAIRMAN:

Q. He did not tell you why they gave it to him?—A. No, sir.

Q. Did he speak Spanish?—A. Yes, sir.

Q. Did you speak Spanish?—A. A little, sir; you don't really need to speak it, you can understand the gyrations.

By Senator DIETRICH:

Q. You say these officers went to the house of this prostitute?—
A. Yes, sir.

Q. Had you ever been to that house?—A. Yes, sir.

Q. How do you know she is a prostitute?—A. I know she has accepted money from men of the detachment and from the Filipinos.

Q. Has she ever accepted any from you?—A. No, sir.

Q. Did you ever offer her any?—A. No, sir.

Q. Did you like to go there?—A. I used to go there.

Q. You enjoyed her company?—A. Yes, sir.

Q. Is it not possible that those officers went there, as you did, without doing anything wrong?—A. It hardly seems consistent with their position as officers to go there.

Q. I can not understand that. You were in command of soldiers there that looked up to you for good behavior, were you not?—A. Yes, sir. But I was an enlisted man, we were all on an equal plane.

Q. Then you will admit that you were as guilty as those officers, so far as you know?—A. Yes, sir.

By Senator CARMACK:

Q. There is a statement by you published in a New York paper of an occurrence on the 27th of December. What year was that?—A. 1899. That was in the barrio of La Nog.

Q. Where was that?—A. The barrio of La Nog.

Q. You entered the town that day?—A. Yes, sir.

Q. What was the object of your expedition on that day; where were you going?—A. I don't know, sir.

Q. Was that town your destination?—A. I don't know, sir.

Q. Tell what occurred there at that time.—A. We entered the town. It was just daybreak. The first thing we saw was a boy coming down on a carabao, and the first sergeant, William Stahlburg, shot at the boy. I don't know whether he intended to kill him or not. I know he didn't hit him. The boy jumped off the carabao and fled.

Q. Where was this boy?—A. Coming down a mountain path on a carabao.

The CHAIRMAN. What did you say the sergeant's name was?—A. Stahlburg; he is now a policeman in the city of Manila.

By Senator BEVERIDGE:

Q. You say the boy was on a carabao?—A. Yes, sir.

Q. And then he jumped off?—A. Yes, sir. That was a sort of silent signal for a volley. Everybody fired at him.

Q. At the boy?—A. Yes, sir.

By the CHAIRMAN:

Q. I don't suppose you fired?—A. Yes, sir; I did. I am supposed to obey.

Q. Were you ordered to fire?—A. No, sir.

By Senator BEVERIDGE:

Q. What did you fire for, then?—A. I can not tell. A man fires when he is in those places.

Q. Did the sergeant tell you why he fired?—A. No, sir.

Q. He offered no explanation?—A. No, sir.

Senator ALLISON. How many shots hit him?

The WITNESS. He was not hit at all.

By Senator BEVERIDGE:

Q. How far away was he?—A. I should judge 1,500 yards.

Q. Are you a pretty good shot?—A. No, sir.

Q. Are any of our soldiers good shots?—A. Yes, sir.

Q. Were any in that squad good shots?—A. Yes, sir. They were all snap shots, most all of them.

Q. They did not shoot but once?—A. No, sir.

Q. You had more than one cartridge?—A. Yes, sir.

Q. You just fired a volley at the boy and quit?—A. Yes, sir. That brought the people in the houses out, brought them to the doors and out into the street, and how the order started and who gave it I don't know, but the town was fired on. I saw an old fellow come to the door, and he looked out; he got a shot in the abdomen and fell to his knees and turned around and died.

Q. Were you shooting then, too?—A. Yes, sir.

Q. And had you had any orders to shoot?—A. Yes, sir.

Q. Who ordered you to shoot?—A. I don't know, sir.

Q. You were shooting a good deal like you shot at the boy?—A. No, sir.

Senator CARMACK. The orders were given to fire. Go ahead and tell the whole story.

The WITNESS. After that two old men came out, hand in hand. I should think they were over 50 years old, probably between 50 and 70 years old. They had a white flag. They were shot down. At the other end of the town we heard screams, and there was a woman there: she was burned up, and in her arms was a baby, and on the floor was another child. The baby was at her breast, the one in her arms, and this child on the floor was, I should judge, about 3 years of age. They were burned. Whether she was demoralized or driven insane I don't know. She stayed in the house.

The CHAIRMAN. What troops were those?

The WITNESS. M Company, the Twenty-sixth.

By Senator PATTERSON:

Q. How many men were there in M Company at that time?—A. I don't know, sir.

Q. About how many?—A. There were very nearly a hundred.

Senator DUBOIS. Excuse me a moment. I did not catch the name of the town.

The WITNESS. La Nog.

By Senator BEVERIDGE:

Q. Where is that?—A. About 16 miles——

Q. On what island?—A. Panay. It is northeast of Igbarras about 16 miles.

By the CHAIRMAN:

Q. What officers were present?—A. Captain McDonald was the only officer.

Q. He was the only officer present?—A. Yes, sir.

Senator BEVERIDGE. The commanding general at that time was General Hughes?

The WITNESS. Yes; he was in command.

Senator CARMACK. Were any orders given when you entered the town about prisoners or anything of that sort?—A. No, sir. In regard

to that order being issued, as he would go along in Indian file, the word would pass along "take no prisoners." Nobody would know where it emanated from.

By Senator BEVERIDGE:

Q. Where would you get that order?—A. It would start at the head of the line and come down.

Q. Did you think that unusual?—A. No; we did not then.

Q. Did you inquire where the order came from?—A. No, sir.

Q. Did your sergeant give you the order?—A. I don't know, sir.

Q. It came down the line?—A. It came down the line; yes.

Q. And you obeyed it?—A. Yes.

Senator PATTERSON. What was the result of that order or those orders at any time?

The WITNESS. Well, if there was any fighting the fighting was continued until everybody had fled or everybody was killed.

Senator DIETRICH. How many fights were you in?—A. I was at the sugar mill the 9th of November, 1899; I was at Lapaz the 10th of November; Balantang on the 21st of November, 1899. That was supposed to be the largest battle in the island; something like 3,000 insurgents and 600 Americans were engaged. I was at—

Senator BEVERIDGE. How many insurgents?

The WITNESS. About 3,000. I was at La Nog on the 27th of September, 1899.

By the CHAIRMAN:

Q. None of the lieutenants were there?—A. No, sir.

Q. Captain McDonald was the only officer?—A. Yes, sir.

Q. Is that usual, that none of the officers were there—

Senator DUBOIS. I suggest that the witness be allowed to go ahead and finish his answer to Senator Dietrich.

The CHAIRMAN. He had reached the point of that battle; that is the reason that I asked him the question.

The WITNESS. No; it is not usual.

Senator CULBERSON. State what other battles you were engaged in in further answer to the question of Senator Dietrich.

A. (Continued.) On the night of the 15th of February we were ambushed; we burned two towns, and on the 22d of February we had a bloodless battle; we burned four towns; we did not see a soul, black or white. The only thing we killed was a pig at Igbarras.

Senator ALLISON. It was not a very severe engagement?

The WITNESS. No, sir.

Senator DIETRICH. About how many troops were killed in all in these battles?

The WITNESS. I don't know, sir.

By Senator ALLISON:

Q. I wanted to ask about this first battle of the 21st of December, at La Nog. Is that when the incident you spoke of a while ago took place?—A. Where the woman was burned?

Q. Yes. —A. Yes, sir.

Q. How many insurrectos were there? A. There was not a shot fired on the part of the Filipinos.

Q. Not a shot?—No, sir.

Q. So you don't think that was a very serious engagement?—A. No, sir.

Q. You do not know what was the reason for burning that village?—A. No, sir; I do not. Captain McDonald did not confide in me to that extent.

Q. Where did you come from?—A. From Guimbal.

Q. Did you return?—A. Yes, sir.

Q. When?—A. The next day.

Q. Did all this occur in the nighttime or in the day?—A. In the daytime, at break of day.

Q. You marched that night?—A. Yes, sir.

Q. And got to this town early in the morning?—A. Yes, sir.

Q. Burned it and went away?—A. Yes, sir.

Senator PATTERSON. How large a town was it?

The WITNESS. There were from fifteen to thirty-five houses—bamboo shacks.

Senator ALLISON. You do not know why you were ordered there?

The WITNESS. No, sir.

Senator PATTERSON. What was the size of the other towns that were burned.

The WITNESS. I could not tell you.

By Senator ALLISON:

Q. Were there many soldiers in that town, many insurrectos?—A. Which town?

Q. At La Nog?—A. No, sir; I did not see a soldier. I did not see a shot fired from the Filipinos. I won't say insurrectos, or not.

Q. What sort of people did you see there?—A. What I took to be citizens, peaceable people, you can not tell whether they are citizens or insurgents. You will have a fight with them and then they will have on blue pants and shirts and they can change very quickly for white pants, and when you see them again you won't know whether they are insurgents or not.

Q. You say two of these men came out of these houses?—A. Yes, sir.

Q. And another old man?—A. Yes, sir; two of them were shot in the street with a white flag.

Q. How many others did you see?—A. Those were all.

Q. Those were all the men you saw?—A. No, sir; not all I saw; all I saw killed.

Q. About how many men did you see about that time?—A. I could not say; they all ran.

Q. Where did they all run to?—A. To the mountains.

Q. How many women did you see?—A. I could not say.

Q. You could not have seen a thousand?—A. When you are in action, sir, you don't stop to count.

Q. But was there a large number of women?—A. No, sir; there was not, for the reason that there were only about 35 houses there.

Q. Were there any children?—A. Yes, sir; numbers of children.

Q. You killed these two old men?—A. Three old men.

Q. Three old men were killed?—A. Yes, sir.

Q. What time the next day did you start back?—A. We proceeded on to another place, evidently looking for something else. We stayed and cooked our dinner, and it must have been about 2 o'clock.

Q. When you started back to the town from which you started?—
A. Yes, sir; we got into the town that night about 7 o'clock. Pedro Gargenaro had been executed that day. He was made to kneel down and hit on the back of the neck with a bolo. I suppose the original intention was to behead him.

Senator BEVERIDGE. Who did that?

The WITNESS. American officers. A great sensation resulted from that, and Captain McDonald and Captain Boardman were tried and they came near being cashiered.

Senator PATTERSON. Had this man been tried?

The WITNESS. He was given a court-martial; not a general court-martial, it was a sort of a summary one.

By Senator BEVERIDGE:

Q. How do you know?—A. I was in the town at the time; I had been on guard over him; I had placed the sentries over him.

Q. Who told you whether he got a court-martial?—A. It came out in the evidence in the trial at Iloilo.

Q. Were you present at the trial?—A. No, sir.

Q. Who told you?—A. I read it.

The CHAIRMAN. The trial of whom?

The WITNESS. The trial of McDonald and Captain Boardman.

By Senator BEVERIDGE:

Q. What was done with this man before he was hit on the neck with a bolo?—A. He was detained in the church tower.

Q. Was any inquiry made into his case?—A. In what respect?

Q. As to what he had done. What was he killed for?—A. He was noted as a bandit.

Q. And when he was captured what was done as to an inquiry into his case?—A. Nothing that I know of.

Q. He was just taken out and beheaded?—A. No, sir.

Q. You did swear he was made to kneel down and struck on the back of the neck with a bolo?—A. Yes; that was witnessed by my own company.

The CHAIRMAN. You saw it?

The WITNESS. No, sir.

By Senator BEVERIDGE:

Q. What men told you?—A. Charlie Brown, who is now dead.

Q. Did any other man tell you that?—A. Well, it was common talk; we all heard about it.

Q. The one man, however, you remember, who told you, is now dead?—A. Yes, sir.

Q. Nobody else told you, who is now alive?—A. The sergeant —

Q. Is he alive?—A. No.

Q. Do you remember anybody else who told you who is alive?—
A. No, sir.

Senator DUBOIS. Was the truth of that questioned when the court-martial of these officers took place?

Senator BEVERIDGE. The proceedings of the court-martial will show that.

By Senator ALLISON:

Q. Were they court-martialed for this?—A. Yes, sir; at Iloilo.

Q. For this transaction?—A. Yes, sir.

By Senator BEVERIDGE:

Q. Where was this man executed?—A. At Guimbal, in the public cemetery.

Q. How far is that from Iloilo?—A. Between 16 and 20 miles.

Q. General Hughes was in command at Iloilo at that time?—A. Yes, sir; he was in command of the Vasayas, comprised of several islands.

By Senator CULBERSON:

Q. I do not quite understand some of your answers. You stated that there was no regular court-martial, and I understood you to say at one time that there was a summary court that sat on his case; and afterwards you said you knew of no inquiry into his guilt or innocence. What is your evidence about that?—A. Only from what I heard, it was sort of a summary court. That is what came out in the reports of the trial at Iloilo.

Q. He had a trial, then, of some kind—the bandit had some character of trial, as you understand it?—A. I would not swear to it.

Q. Did you not state that there was a summary court?—A. I said sort of a summary court.

By Senator BEVERIDGE:

Q. Why do you say summary?—A. It is a military term; that is, tried by one officer.

Q. Why did you use the word “summary?”—A. I could not really state.

Q. You just stated that of your own volition?—A. Yes, sir.

Q. As describing this business?—A. Yes, sir.

Q. You mean by that it was extremely hasty?—A. Yes, sir.

Q. You were present at that trial?—A. No, sir.

Q. Who told you it was a summary court? Who was the man?—A. Not anybody, sir.

Q. You just used that word?—A. I was there where the man was; I was stationed there——

Q. But you simply used that word?—A. Yes, sir.

By Senator RAWLINS:

Q. Captain McDonald was tried at Iloilo by court-martial?—A. Yes, sir.

Q. And this case was there investigated?—A. Yes, sir.

Q. And it was published?—A. Yes, sir.

Q. I understood you to say that there was a summary court in the course of these proceedings. Am I right?—A. No, sir; I did not.

Senator PATTERSON. Were they court-martialed for the killing of this bandit?

The WITNESS. Yes, sir.

By Senator DIETRICH:

Q. A while ago, while you were stating about one of the battles, you stated it was very difficult to make close observations while you were in the heat of battle. It is pretty hard to observe things in battle, is it not?—A. Yes, sir.

Q. Where was this fight or battle where these two old men were killed?—A. At La Nog.

Q. How many insurgents were there there?—A. No insurgents so far as I know, because there were no shots fired by the Filipinos.

Q. How many American soldiers were there?—A. I can not say, because there were some men stationed at Guimbal.

Q. Were you there?—A. I was at La Nog; yes, sir.

Q. Did you see these men killed?—A. Yes, sir.

Q. You say that they raised the flag of truce?—A. They had a white flag; some sort of a piece of white cloth on a bamboo stick. They came out hand in hand; they had their hands clasped.

Q. Did you shoot at them?—A. No, sir; I did not.

Q. Did you see anybody else shoot at them?—A. Yes, sir.

Q. Who?—A. Well, I saw people shooting in that direction; I don't know whether they were shooting directly at those people or not.

Senator BEVERIDGE. Could you give the names of those whom you saw shoot?—A. No, sir. I know Sergeant Conway, who is now in business in Negros, reported to Captain McDonald that he had killed two more niggers.

By Senator DIETRICH:

Q. It is in that locality where there are a good many friendly natives—friendly to the Americans?—A. Yes, sir.

Q. It is also true that a great many of those friendly natives were killed by insurgents because they were friendly to the Americans, is it not?—A. I have heard of more threats against these people than of actual real damage being done to them.

Senator McCOMAS. What is the name of that bandit?

The WITNESS. Pedro Gargenero.

By Senator BEVERIDGE:

Q. Why didn't you shoot at these men?—A. I don't know.

Q. You were shooting?—A. Yes, sir.

Q. And nobody was shooting at you?—A. No, sir.

Q. You could not be very much excited when no bullets were coming your way?—A. A man gets excited even when firecrackers are going off around him.

Q. But you had been through all these battles———A. There were not so many——

Q. But you had been through several battles, and you would not be excited; you were used to it.—A. No; not with my temperament; some temperaments are different.

Q. You think there is no difference between a new man and one who has had experience and has been under fire?—I suppose temperaments are different; it would affect some people——

Q. And your temperament is excitable; is that what you mean?—A. Yes, sir; very excitable.

Q. Delicate, full of imagination—A. Very; but by an effort I can control myself.

Q. Now, about these orders to take no prisoners, is that what you said?—A. I said there were no orders; it came down the line, and who issued it or where it came from I don't know.

Q. Did you consider that an order?—A. Well, we would not know where it came from.

Q. Did you consider it an order?—A. Yes, sir.

Q. How long had you been in the service at that time?—A. I could not state, but very nearly a year.

Q. Would you go into action, except in the absolute heat of conflict, without orders to advance?—A. No, sir.

Q. You would wait for orders?—A. Yes, sir; if I saw the rest of the company advance I would advance.

Q. But so far as taking prisoners was concerned, or killing everybody indiscriminately, no orders were required?—A. No, sir.

Q. That is the fact?—A. Sort of an unwritten law there

Senator PATTERSON. An unwritten law that what?

Senator BEVERIDGE. That no prisoners be taken.

By Senator BEVERIDGE:

Q. You do not understand that that is the law observed by soldiers in other warfare?—A. No, sir.

Q. You are a bright young man; did not that strike you as uncommon?—A. No, sir.

Q. You were a corporal?—A. Yes, sir.

Q. Did you talk to your sergeant about it?—A. No, sir.

Q. Did you talk to any other corporal?—A. No, sir.

Q. Did you talk to any officer about it?—A. No, sir.

Q. You never heard any such order from the lips of any officer of the company?—A. No, sir.

Q. It just existed?—A. Yes.

Q. When was the first time that you obeyed such an order as that: this time or any other time?—A. At the advance, I think it was, at Lapaz.

Q. And who gave the order there?—A. I do not know.

Q. Did you hear any sergeant, corporal, lieutenant, captain, or anybody else give such an order?—A. No, sir.

Q. And you obeyed that order there, also?—A. Yes, sir. I didn't have any occasion to obey it the first time. It was an open battle.

Q. You did not shoot anybody?—A. There were numbers killed at Lapaz.

Q. But this other time you did obey it?—A. I would have obeyed it at Lapaz had there been occasion.

Q. That was the first time you heard it?—A. Yes, sir.

Q. And then it came from no officer?—A. No, sir.

Q. You are a humane fellow, are you not?

Senator CARMACK. I hardly think that is proper.

Senator BEVERIDGE. Oh, that is perfectly proper.

The CHAIRMAN. I think that is perfectly proper.

By Senator BEVERIDGE:

Q. The first time you heard such an order as that you were prepared to execute it, you have said. How did it happen that your humanity did not revolt so that you would speak to your officer about it?—A. It was none of my business.

Q. Not to dictate; but you did not understand it to be the law of ordinary warfare elsewhere that men were to kill indiscriminately without an order from an officer?—A. But I did understand the temperament of my captain.

Q. Oh, you acted on the temperament of your captain?—A. Yes. I knew what would happen if I asked Captain MacDonald.

Q. What about your lieutenants?—A. I never said anything to him.

Q. What about General Hughes; did you know him to be a humane man?—A. I know nothing against him, except it appeared in an article in the Boston Globe that the men under him had desecrated a church—this is hearsay—

Senator CARMACK. I would not state it, then.

By Senator BEVERIDGE.

Q. You say that General Hughes desecrated a church?—A. No; but men under his command.

Q. Under his direction?—A. No; I would not say under his direction, but he was in command of the forces in the field.

Q. Are these the only times when you had these vague orders about taking prisoners; are there any other occasions when you were directed to kill?—A. It invariably came out every time an occasion presented itself.

Q. In all this long line of engagements that you have testified as to participating in you acted under those orders always?—A. Yes, sir.

Q. And how long were you in the islands after this?—A. After which?

Q. After the action at La Nog, for instance?—A. That was the 27th of December.

Q. You do not need to fix it direct; I mean how long— A. Well, say, sixteen months.

Q. Did you during these sixteen months make any complaints about this?—A. No, sir.

Q. Did you write any letters home?—A. Yes, sir; I did.

Q. You made complaints about other things?—A. I wrote articles on the abolition of the army canteen.

Q. And in those articles and letters you never mentioned this order to take no prisoners?—A. No, sir; because I knew the papers would come back and it would not be well.

Q. Did you write letters home concerning the water cure?—A. Yes; to my people.

Q. And you knew the papers would come back?—A. I wrote that to my people and took occasion to have them treat it strictly confidential.

Q. Did you write anything to your people about these orders to kill without taking prisoners?—A. No, sir.

Q. You did not mention that?—A. No, sir.

Q. You knew that would not get into the papers if you enjoined your people to tell nothing about that, did you not?—A. It was common, and I did not give it a thought.

Q. So you considered such a thing as that as of not sufficient importance or not unusual enough to give it a thought?—A. Yes, sir.

Q. The first time you practiced it it was not common?—A. No, sir.

Q. Why didn't you write home about it, then?—A. Maybe I did not think about it.

Q. The first time it was horrifying to you?—A. No, sir.

Q. Not horrifying?—A. No, sir.

Q. The water cure horrified you?—A. No, sir.

Q. That is to say, the water cure horrified you, while the vague order coming from no place to kill without taking prisoners did not horrify you?—A. No, sir.

Q. You did not mention that to your folks?—A. No, sir.

Q. You spoke about a woman at La Nog being burned. You found her in the house, did you?—A. We heard her scream; nobody could get near the house, because she was surrounded by fire.

Q. And that house was burned down, was it?—A. The whole village was burned.

Q. The house was burned?—A. Yes, sir.

Q. Did you find her lying there about the house after it was burned?—A. I don't remember seeing her after that.

Q. You spoke of her lying there with a baby on her breast.—A. I said she had a baby at the breast and another child was on the floor; that one child was a few months old, and the other, the child on the floor, was a few years of age.

The CHAIRMAN. You saw them before they were burned?

The WITNESS. We heard the screams; we were attracted by the screams.

Senator BEVERIDGE. Did you attempt to rescue her?

The WITNESS. No, sir.

The CHAIRMAN. Did you see these children inside the fire?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. Describe the house, will you?—A. It was a common bamboo shack.

Q. That is a common bamboo shack—— A. With nipa thatched.

Q. On stilts?—A. Yes, sir.

Q. About 5 or 6 feet high?—A. Only one floor.

Q. You were on the ground?—A. A small shack such as you have seen over there.

Q. You mean to say you went there and saw her and the child on the floor in the bamboo shack and that shack was elevated on stilts 4 or 5 feet high?—A. She was in the doorway.

Q. But the child was on the floor?—A. The child was clinging to her skirts.

Q. She stood in the doorway then, that is the way you saw her?—A. We saw her in the doorway and through the window.

Q. When was she in the doorway?—A. She kept walking around.

Q. She would go to the door and then to the window?—A. I don't know whether she was made insane or what.

Q. I am not inquiring as to your theory about her mental condition, but as to what she did.—Did you see her first at the doorway or at the window?—A. I don't remember.

Q. You think you saw her in the doorway?—A. When I want to make a statement I don't want to insinuate or anything else; I want to have it plainly understood that I know I am making the statement as I saw it.

Q. I am just trying to get at what you did see. You were locating her in the house. Where did you see her?—A. I am not positive.

Q. It would be utterly impossible for you to see her and a child unless they were at the door or the window?—A. Yes; I could not have seen the child except——

Q. Except at the doorway?—A. Except at the doorway.

Q. And were the steps burned away, the steps leading out of the house?—A. I don't know, sir.

Q. Why didn't you make any effort to rescue her?—A. It was a physical impossibility.

Q. If she was at the doorway—— —A. The house was in a mass of flame. You know what those shacks are.

Q. I do very well. If the child was in the doorway do you mean to say you could not rescue that child, no matter how much the house was burning?—A. I could not.

In regard to these dumdum bullets, I have sent home for some.

By Senator ALLISON:

Q. Were you alone a witness of that?—A. No, sir; I was not.

Q. How many were there?—A. The members of the Company.

Q. You all stood around and saw her burn?—A. We were scattered around.

By Senator BEVERIDGE:

Q. Did you look for her remains?—A. I did not. I don't know whether any of the others did or not.

Q. What about these dumdum bullets; have we had testimony about that?

The CHAIRMAN. No; there has been nothing said about that by this witness.

By Senator BEVERIDGE:

Q. Why did you make that statement, "In regard to these dumdum bullets, I have sent home for some?" Nobody asked you about that.—A. No, sir; I wanted to volunteer.

Q. You volunteered that. That is what I am interested to know.

Senator CARMACK. That was in regard to a statement you had made in a newspaper interview?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. You have made some statements in newspaper interviews, have you, then?—A. Yes; I wanted it understood that those statements were not under oath——

Q. Why do you say that?—A. I would not swear to it.

Q. Why do you make a distinction between your testimony here under oath and any other statement you have made? Of course, every statement you have made is true?—A. Every statement is true.

Q. Certainly; your word is your bond. Go ahead.—A. But these bullets—I am not enough acquainted with ordnance to know whether they are dumdum bullets or not; but I know, for I have seen them, that they have not the stamp of the United States. They have the caliber number on them, and that is all. We have been issued both kinds—the bullets with the United States stamp on and with the caliber. These bullets—I have seen them hit a man in the back of the ear and lift the whole of his head off, and I have also seen a man hit in the abdomen and it would lay his whole front bare.

Q. Where did you see that?—A. At La Nog.

Q. You operated with dumdum bullets at Lanog, then.—A. Yes, sir.

Q. Which one was it that was shot in this way; the old man, or who?—A. I can not positively say.

By the CHAIRMAN:

Q. By a dumdum bullet you mean an explosive bullet?—A. Yes, sir.

Q. And those were issued to you?—A. Yes, sir.

Q. In the regular way?—A. Yes. I think if tests were made with animals that my statement would be verified.

Senator CARMACK. Is a dumdum bullet an explosive bullet?

Senator BEVERIDGE. No; it flattens out.

Senator CARMACK. You do not mean to say these are dumdum bullets?

The WITNESS. I have seen them take heads off of men, and the regular Krag-Jørgensen bullets, from what I have read, make a clean hole.

By Senator BEVERIDGE:

Q. What is a dum dum bullet?—A. I understand it to be a bullet that flattens when it hits.

Q. Do you know why it does?—A. No, sir.

Q. I will tell you. It is because it is cut at the top so it flattens. Were those explosive bullets or dum dum bullets?—A. They were not cut at the top.

Q. So you inferred they were explosive bullets?—A. Yes, sir.

Q. So they had some powder or nitroglycerin inside of them?—A. Yes, sir; they were slightly different in this respect. You could discern a very slight mark about the cap.

Q. As small as you are indicating on that piece of paper?—A. No, sir.

Q. Did you use them in the Krag-Jørgensen?—A. Yes, sir.

Q. They are like them in appearance?—A. Exactly, except there is a little difference which could not be discerned except at close observation.

Q. How did you happen to make that close observation?—A. I was interested.

Q. You made a very close observation always?—A. Yes, sir.

Q. Of everything?—A. No, sir; not everything.

Q. But just of the bullets. Did you make this close observation of the bullets before or after the fight of La Nog?—A. I don't remember when.

Q. Do you think it was before or after?—A. I don't know when.

Q. Did you ever shoot those explosive bullets after you knew them?—A. I know we were issued nothing else that were not stamped with the United States stamp.

Q. After you found them out did you shoot them again yourself?—A. I don't remember.

Q. Did you ever shoot again after La Nog?—A. Yes, sir.

Q. With these same bullets?—A. With the bullets that were issued to us, yes.

Q. Were they the same bullets that you have described?—A. Yes, sir.

Q. So you did shoot these bullets after you saw their horrible execution?—A. Yes, sir.

Q. Did you think that worth mentioning to your sergeant?—A. It was none of my business. I was an enlisted man——

Q. But you noticed that there was no United States stamp on them? Did you ever mention that to anybody?—A. Yes; to my comrades.

Q. Can you name anyone you mentioned it to?—A. No, sir.

Q. Did you mention that in your letters home?—A. No, sir.

Q. Did you see the man with his head blown off; and did you see the man with his entrails exposed?—A. Yes, sir.

Q. Did you not think that was a most horrible sight?—A. Yes, sir, most revolting.

Q. And it was caused by this kind of bullet?—A. Yes, sir.

Q. And you did not mention that in your letters home?—A. No, sir.

Q. Although you mentioned the water cure?—A. Yes, sir.

Q. Why didn't you mention this?—A. Well, those things were common——

Q. You thought this was far more horrible than the water cure did you not?—A. I can not tell you why I did not mention it.

Q. This is the first time you say you saw the effect of the explosive bullets, so it was not common at that time?—A. No, sir.

Q. Why, then, in writing home the first time after this horrible occurrence did you not mention it?—A. It may not have occurred to me when I was writing.

By the CHAIRMAN:

Q. You testify that there was issued to you a bullet which was an explosive bullet?—A. Yes, sir.

Q. And those were issued to you in the regular way by the Government?—A. Yes, sir.

By Senator McCOMAS:

Q. What is your company?—A. M Company.

Q. What regiment?—A. Twenty-sixth.

Q. Did your company take any prisoners?—A. Yes, sir; we have.

Q. On more than one occasion?—A. I can only remember on one occasion. That was a place called Tabungan, which was afterwards burned; but we captured about 300 or 400 head of caribou, and we wanted the natives to drive in the caribou. I suppose they were captured for that purpose; I don't know.

Q. How many prisoners did you have then?—A. We had, I should think, between 40 and 50.

Q. How did you treat them; did you kill them?—A. No, sir.

Q. Did you treat them well?—A. Yes, sir.

Q. You fed them and cared for them?—A. Yes, sir.

Q. Did you not think it was strange that they were not killed after they had driven the carabao for you?—A. No; from the fact we had to have somebody to drive the carabao, and they are like the niggers with mules; nobody else knows how to drive the carabao the same way.

Q. So you kept them on account of needing them for the carabao?—

A. I suppose that was the reason; I didn't ask the question.

Q. Did you ever see any other Filipino prisoners?—A. Yes; I saw one fellow taken at Balangtang.

Q. By your company?—A. Yes, sir.

Q. And any other time?—A. No, sir; I don't remember.

Q. But you will not swear there were not other times?—A. No, sir.

Q. Simply you do not remember?—A. Yes, sir.

Q. How was this prisoner treated; you did not kill him?—A. No, sir.

Q. You did not ask anybody why they did not kill him?—A. No, sir.

Q. You did not want him killed yourself?—A. No, sir.

Q. Have you seen other commands take prisoners?—A. Yes, sir.

Q. You have seen other prisoners taken by other commands?—A. Yes, sir.

Q. Often?—A. I had an occasion to go to the city one time and I visited the forts there.

Q. And saw prisoners there?—A. Yes, sir.

Q. How were they treated; none were being killed?—A. No, sir.

Q. You did not believe the story about there being an order to take no prisoners?—A. I can only believe my own ears.

Q. But your own eyes taught you something else?—A. Some officers were more humane than others; every officer had a law to himself.

Q. You have a feeling against Captain McDonald?—A. Yes, sir.

Q. You think he was not a humane man?—A. Yes, sir.

Q. Yet on account of the carabaos he did take some prisoners?—A. Lieutenant Sullivan was in command of them.

Q. If he had been in command there you do not think he would have taken prisoners; you think he would have killed the men and let the carabao go?—A. I don't know, sir.

Q. You saw many hundreds of prisoners altogether?—A. I would not say many hundreds; a good many.

Q. Then you saw prisoners elsewhere on the islands, Filipino prisoners?—A. Not outside of our own—that is, the company prisoners.

Q. You never saw any others; you will swear you saw no other prisoners who were cared for in hospitals or places of confinement during your stay there?—A. Yes, sir.

Q. Nowhere in the islands, except in Manila?—A. In Iloilo, not Manila. I was not in Luzon at all.

Q. There was no place there where prisoners were confined at Iloilo?—A. Yes; they were confined in the fort there.

Q. And you saw them there?—A. Yes, sir.

Q. Were there many there?—A. A great many; that is, the place I have been speaking of.

Q. You were not in Manila then?—A. No, sir; it was Iloilo.

Q. How did they get there; did you not think that some of your own companions in arms had taken the prisoners?—A. Yes, sir.

Q. Then you did not believe that there was any order or practice of killing everybody and taking no prisoners?—A. It was not general; no, sir.

Q. You think it was the opinion of your captain that no prisoners should be taken?—A. I don't know; I don't wish to answer for him.

Q. You think, then, the refusal to take prisoners was not general?—A. No, sir.

Q. It was exceptional?—A. No; I would not say exceptional.

Q. If it was not exceptional and was not general, what was it?—A. It lay with the officers.

Q. But it was not generally practiced?—A. No, sir.

By Senator DIETRICH:

Q. You were at Miago?—A. Yes, sir.

Q. And you had charge of about sixteen men?—A. Yes, sir.

Q. Did you and your men under you give good treatment to the Filipinos; did you treat them kindly?—A. Yes, sir; we did.

Q. Now, then, you say that Captain McDonald was a man who was very severe and rather encouraged his soldiers to do things they ought not to do?—A. No; he was generally known as a nigger hater. That is the expression used.

Q. You, being under his direct command, had no orders from him to do anything but to be a gentleman and to do your duty as a soldier?—A. One time we were on our post near Iloilo, about 2 miles outside of the city. We had landed near there. There was a prisoner captured there and I was sent in by the outpost, the prisoner being captured, and I was not on guard at the time and the outpost could not be weakened; so Captain McDonald sent me out after the prisoner, and his parting injunction was—he said, "You know what to do if he tries to escape, don't you?" I said, "Yes, sir." So I went out and got him. Of course, that was natural if he did try to escape.

Q. That was your duty as a soldier?—A. Yes, sir.

Q. Then you served all this time in the Philippine Islands under Captain McDonald, and you had no instructions, no orders, no encouragement from him to be brutal?—A. Not directly from him; no sir.

By Senator PATTERSON:

Q. I want to ask you about these so-called explosive bullets. Have you any other means of knowing these bullets were explosive except as you saw their result upon several occasions?—A. No, sir; I have not.

Q. Did you see the result of bullets that you thought might be explosive upon other occasions than at La Nog?—A. Well, I have seen men in trenches that had been badly blown to pieces, when we had been at a thousand yards.

Q. Were any experiments made, to your knowledge, by the men of your company or by anybody else to determine whether or not these bullets differed from what we will call the regulation bullet, the Krag-Jørgensen bullet?—A. No regular experiments conducted by officers I know of; or by enlisted men.

Q. Did you ever make any experiments yourself?—A. No, sir.

Q. Then the basis of your statement or suspicion is as follows: The bullets that you refer to came to you in the regular way, issued to the men by the officers whose duty it was to do that?—A. Yes, sir.

Q. They were not the regular Krag-Jørgensen bullets, not having the Government stamp on them?—A. In appearance and everything else they were the same, except that they did not have the stamp.

Q. Except that there was a little mark down near the cap that you did not find on the regular Krag-Jørgensen bullet?—A. No, sir.

Q. Those facts, together with the effects of these bullets upon men or persons, as you saw them, led you to believe that they were not the regular Krag-Jørgensen bullets or were a dumdum bullet or an explosive bullet?—A. Yes, sir.

Q. That is what you base your conclusions on?—A. Yes, sir.

Senator CARMACK. You say you have some bullets?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. You say you have sent for the bullets?—A. Yes, sir; and I brought a bullet, with some ammunition.

Q. Where are those bullets now?—A. North Adams, Mass.

Q. When will they be here?—A. Very probably in the morning.

Senator McCOMAS. Did you ever cut one open?

The WITNESS. No sir.

By the CHAIRMAN:

Q. You have no doubt but what they were a different bullet from the other?—A. In their effect; yes, sir.

Q. They had an unusually cruel, lacerating effect?—A. Yes, sir.

By Senator DUBOIS:

Q. Were you admonished or ordered by your officers when you came into contact with the Filipinos to treat them with kindness and consideration?—A. No, sir; I was not.

Q. Were any orders issued to you by your superiors to take prisoners?—A. No, sir.

Senator PATTERSON. Then it is understood that this witness will remain here.

The CHAIRMAN. He will appear here to-morrow.

Thereupon, at 12.10 p. m., the committee adjourned until to-morrow, Tuesday, May 20, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Tuesday, May 20, 1902.*

The committee met at 10.40 o'clock a. m.

Present, the chairman and Senators Allison, Beveridge, Dietrich, Rawlins, Carmack, Culberson, Dubois, and Patterson.

TESTIMONY OF RICHARD T. O'BRIEN—Continued.

The CHAIRMAN. Have you the bullets referred to yesterday, which were to be brought here this morning?

The WITNESS. No, sir; they did not come. I did not write until Saturday night. They had to come from North Adams, Mass., and they have had hardly time to get here.

By Senator CULBERSON:

Q. Are the cartridges you speak of some that you brought from Manila?—A. Some I brought from the island of Panay. That is south of Luzon.

Q. When do you expect them here?—A. I expect them any time now. I left word at the hotel to send them right up here should they come. Will it be necessary that I be here when those bullets come? It is only with the greatest difficulty I got away to come to Washington.

The CHAIRMAN. No; I do not know that it will be necessary.

Senator CULBERSON. The only trouble about it would be to identify them.

Senator BEVERIDGE. I think it would be very well to have the corporal and the bullets here at the same time.

Senator PATTERSON. I am very frank to say that I do not give credit for a single moment to the proposition that anything but perfectly legitimate cartridges and bullets were supplied to American soldiers, and the only feeling in reference to these bullets is to demonstrate that that is absolutely true.

The CHAIRMAN. The witness offers to furnish an affidavit that they are the bullets referred to in his testimony, and I do not know that it is necessary to detain him.

By Senator CULBERSON:

Q. In reference to these bullets, in what connection was it you noticed the effect of those bullets on wounded Filipinos; what fight or battle?—A. I noticed them at Lapaz and I noticed them at La Nog.

Q. How far were you from the Filipinos struck with such bullets?—A. I could not state. At Lapaz I saw them in the trenches after the engagement.

Q. You saw the bodies in the trenches?—A. Yes, sir.

Q. The reason I am asking you about this is that I agree thoroughly with what Senator Patterson has stated.

Senator PATTERSON. Do not understand me as disputing what the witness says as to the condition of the bodies, but I feel that there must have been some other cause for the conditions.

By Senator CULBERSON:

Q. Did you stop and examine the bodies carefully? A. No, sir; I did not.

Q. Were the bodies dressed with the usual clothing on them?—A. Yes; they had usually an undershirt and sometimes a pair of blue trousers, and sometimes white, with a very thin black stripe. They

were usually dressed in what we would call sort of pajamas. Some of them had a coat, a loose sort of a coat, and some of them did not have any coat.

Q. What effect, if any, did these bullets have upon the garments in which the bodies were clothed?—A. Well, this body that I saw that had his abdomen ripped open at La Nog——

Senator BEVERIDGE. That was one of the old men?

A. (continued). Yes, sir; I do not remember exactly what effect it did have upon his shirt. The other party was hit around the ear as I said, and his head was taken off.

By Senator CULBERSON:

Q. You could not tell what effect the bullet had on the body without noticing what effect it had on his shirt; it must have penetrated the shirt, of course, to reach the body?—A. I took no notice of it.

Q. You do not know whether the shirt was sufficiently torn by the metal to expose the body so you could see the effect of the bullet on the body?—A. I don't remember, sir.

Q. How close were you to this man at La Nog?—A. I could not say.

Q. About how close?—A. I would not want to make a statement to that effect, because I am not sure.

Q. Did anybody else notice the body of this dead Filipino with reference to the effect of this wound?—A. Yes, sir; I remember some men spoke of it in a joking manner, about the way the top of his head was taken off.

Q. I understood you to say that that was the abdomen—or was it the other man?—A. There were two cases.

Q. Who were the other men that saw it?—A. I don't remember—some of my company. You would hear remarks and you would not pay any particular attention to such remarks as that.

Q. Are you not able to name anybody that saw that with you?—A. No, sir; I am not. One remark I remember especially was by Sergeant Conway, who reported to Captain McDonald "that there were two more niggers killed, sir," or something like that. That was the sense of his remark.

Q. You do not know whether Sergeant Conway noticed the character of the wound?—A. No, sir; I do not.

Q. Describe to the committee the character of this wound in the head, of which you have spoken.—A. Simply that the whole roof of his head was taken off.

Q. How close were you to him?—I believe you said you did not know?—A. I don't remember, sir.

By Senator BEVERIDGE:

Q. In order to tear open the abdomen I suppose the bullet entered from the side; is that the way?—A. It entered the side some place; ripped it open, and it made a perfectly plain hole on the arm where it entered the arm.

Q. It went through the arm first?—A. No; it went through the abdomen first, and made a clean hole on this side of the arm [indicating], and on this side of the arm where it came out it tore it open.

Q. On the side where it entered the arm the mark there of the bullet was small?—A. Yes, sir.

Q. But when it got through here, where it came out, it made a big hole?—A. Yes, sir.

Q. This was one of the old men advancing with a flag of truce?—A. Yes, sir.

Q. Coming right toward you?—A. Yes, sir.

Q. And you were advancing on them firing as you advanced?—A. Well, the men were scattered over the town; there was not what we could call a military formation.

Q. I am not asking about a military formation. You testified you fired upon a boy and then advanced on the town and you were all together, a squad of you, and you advanced down this street, and the two old men came out of a house hand in hand and advancing with a flag of truce. That is your testimony?—A. I think my testimony was we opened on the boy; the first sergeant fired, and then there was indiscriminate firing—a volley.

Q. And then you advanced down the street of the town?—A. I don't think I said that.

Q. Did you advance down the street of the town?—A. We entered one of the gates of the town.

Q. You entered one of the gates?—A. Yes, sir.

Q. You entered one of the gates all together?—A. Yes, sir.

Q. And then you saw these two old men approaching?—A. I don't remember whether it was that we went into the town or that we had been there for some time or not when we saw them.

Q. I remember the sequence of your testimony yesterday morning, which was that as you entered the town these two old men stepped out of their door with a flag of truce and hand in hand advanced, and as they approached you fired.—A. I think if the testimony is read you will find you are mistaken.

Q. If that is true you were shooting right at them.—A. We fired at everything in sight then.

Q. So that the bullet would not enter the side of a man's abdomen; it would enter the front.—A. The men were not bunched, sir.

Q. These two old men approached you and you fired at them?—A. Our men were scattered.

Senator ALLISON. They were all shooting?

The WITNESS. I don't know.

By Senator BEVERIDGE:

Q. You don't know whether they were all shooting at these old men or not?—A. No, sir.

Q. So they entered in a fan shape now you say?—A. I would not say how they entered.

Q. So, in order to shoot these old men advancing with the flag of truce in the manner you say, some men would have to be at the side shooting?—A. Yes; or they might have turned at the time.

Q. The men may have turned?—A. Yes, sir.

Q. Did they turn?—A. I don't know whether they did or not.

Q. You saw them?—A. After they were shot.

Q. You saw them advancing?—A. Yes, sir; I saw the wound after they were shot.

Q. Did they turn or not?—A. I don't know, sir.

Q. You were looking at them as they advanced?—A. My eyes were not altogether on the old men.

Q. Your eyes must have been on them when you saw them advancing hand in hand as you have described?—A. That might have been a passing glance.

. It was a passing glance then where you caught them hand in hand?—A. Yes, sir.

. So the only method you have for explaining how this shot entered side of the abdomen and passed through the arm was that some of men had gotten to the side and were shooting at them from the side?—A. No; I won't make that explanation because they may have turned.

. You were not looking at them at that time?—A. I don't know,

. In answer to Senator Culberson what did you say about an incision of this wound; how close were you to the body?—A. I don't remember.

. Don't you remember? You said there was a very small puncture where the bullet had passed through the abdomen on one side of the arm; you say the bullet passed through the abdomen, entered the arm, where it made a very small puncture, as a Krag-Jørgensen bullet would, and coming out on the other side of the arm it lifted a great quantity of flesh out.—A. Yes, sir.

. Of course it is clear, then, you were close enough to see the sort of puncture it did make?—A. Yes, sir.

. Then you were very close?—A. Yes, sir.

. You handled the man's arm?—A. No, sir.

. How did you see the small puncture, then, if you did not handle the arm?—A. I may have handled it; I don't know whether I did or not.

. You are familiar with the effect of Krag-Jørgensen bullets?—A. No, sir.

. You are not?—A. I have read something about them; that they are not made to kill.

. You know this: If a Krag-Jørgensen bullet tears any large quantity of flesh away it has first met such an impediment as a bone or such as an extremely solid mass of flesh, which gives it a whirling motion?—A. I could not say, not being up in ordnance enough.

. This question is hardly a question of ordnance. So if this bullet made a small puncture in the arm after passing through the abdomen, it was perfectly impossible it should have torn open his abdomen in that way?—A. If it was a Krag-Jørgensen bullet; but suppose it was an explosive bullet?

. Then, if it was an explosive bullet it would have had that effect?—A. Yes, sir.

. And if it exploded upon entering the abdomen, how would it make a small puncture in the arm after passing through the abdomen?—A. I don't know, sir.

Senator BEVERIDGE. I don't think anybody else knows.

By Senator PATTERSON:

. How long were you at this station there, from which you marched when you went to La Nog?—A. At which station—at Guimbal?

. Yes; the station from which you marched.—A. I think we left Iloilo on the 24th of December and got into Guimbal about—we left Iloilo on a forced march at 10 o'clock the 24th of December from Iloilo and entered Guimbal about between 5 o'clock and 7 o'clock in the evening, a distance of 22 miles or 20 miles; and we stayed there until about the middle of the 26th. I think we started out at midnight.

Let me ask you this: If your company had ever been supplied

either with explosive bullets or dumdum bullets, do you think possible that some experimentation would not have been made by members of your company at some time for the purpose of finding what the effect of such bullets upon objects was?—A. That experiment could never be made except it was sanctioned by officers, because we were never allowed to shoot unless in action.

Senator BEVERIDGE. Were you required to account for the loss of that you had?

The WITNESS. No, sir; we were not.

By Senator PATTERSON:

Q. Was there any general talk among the company as to the character of the bullets with which you were supplied?—A. No, sir; in that case where the party's head was taken off I remember a number of remarks being made about it.

Q. Then I will ask you if this is not true: That had it not been the two men at La Nog, when one of them had his head blown off and the other his stomach ripped open, you would have had no reason to suppose the bullets you were supplied with were other than regular bullets?—A. No, sir; I think I would not.

Q. Were it not for those two single instances?—A. Well, I remember at Lapaz, too.

Q. What did you see at Lapaz?—A. The same thing; some of the men had been ripped.

Q. How many cases at Lapaz were there at that time?—A. I cannot state.

By Senator DIETRICH:

Q. A little while ago you stated that where these two old men were killed, or the one at least, that the soldiers were all around; you were not in a body, you said.—A. No, sir; we were not.

Q. That being the case, that the soldiers were scattered all around the little barrio or town, concentrating your forces toward the center, is it not possible that the bullet of some soldier in some other part of the town might have struck this old man in the side, as you stated, instead of the soldiers that were in front striking him?—A. I could not state where the bullet came from or in what position the men were when they were struck. It may have been as you have said, but I would not swear to it.

Q. It could as well as not have been a stray bullet, because they were all shooting indiscriminately into this town?—A. Yes, sir; they were shooting indiscriminately.

Senator CARMACK. What were they shooting at?

Senator BEVERIDGE. I understand they were shooting at these old gentlemen with their hands clasped who came advancing with a flag of truce.

A. It may have been some men shot directly at the men, it may have been they were hit by a stray bullet.

By Senator DIETRICH:

Q. They could as well as not have been hit by a stray bullet?—A. I would not swear to that.

Q. They could have been?—A. It is a matter of conjecture; I do not know.

Q. And it might have been possible, too, that as they started to walk out their flag of truce might have been lowered for an instant?

and some one may not have noticed that flag, it not being hoisted, they might not have seen the flag in the excitement; is not that true?—A. I don't know; I will not state.

Q. Could that not have been true?—A. It could have been, where they could have lowered the flag.

By Senator PATTERSON:

Q. To whom did you write for those bullets?—A. My father.

Q. And where is your father?—A. North Adams, Mass.

Q. About how many have you, as you recollect now?—A. I probably have thirty or forty.

Q. Are they in your belt?—A. Yes, sir.

Q. When did you send the letter to your father?—A. I sent it Saturday night.

Q. Can you reach your father by telegraph?—A. Yes, sir.

Q. Will you telegraph him to-day and find out whether they have been forwarded or not?—A. Yes, sir.

Q. And get word as soon as you get an answer to some member of the committee?—A. Would it not be better to telephone?

Q. Can you telephone?—A. Yes, sir.

Q. Yes; anything so as to get in communication with your father and find out when you will receive the bullets.

Senator CULBERSON. I have some papers here that I would like to have printed with the record.

(Thereupon, at 11 o'clock, the committee went into executive session.)

WASHINGTON, D. C., *Wednesday, May 21, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman and Senators Beveridge, Dietrich, Rawlins, Carmack, Culberson, Dubois, and Patterson.

TESTIMONY OF RICHARD T. O'BRIEN—Continued.

By the CHAIRMAN:

Q. Now, Mr. O'Brien, you have brought here this morning these three Krag-Jørgensen cartridges [displaying them]. Are these the cartridges and the bullets which you described in your testimony yesterday as in the nature of explosive or dumdum bullets?—A. Yes, sir.

Q. And which you swore had a cruel and lacerating effect?—A. Yes, sir.

Q. You identify these; you brought these with you from the Philippines?—A. Yes, sir.

Q. They were issued to you by whom?—A. They were issued by Sergeant Riley, the quartermaster-sergeant. Sergeant Conway issued them to the detachments.

The CHAIRMAN. I think the witness has identified these cartridges and bullets.

By Senator PATTERSON:

Q. You have brought three of these cartridges to the committee
A. Yes, sir.

Q. Were those all that were sent to you from your home?—A. sir; four were sent to me.

Senator DIETRICH. And you still have more of the same k home?

The WITNESS. Yes, sir.

The CHAIRMAN. Why did you retain one?

The WITNESS. I wanted to have some experiments made with desirable, I will tender this additional one to the committee.

Senator PATTERSON. I do not think it necessary.

By Senator CULBERSON:

Q. In what respect, outwardly, do these cartridges differ from regular cartridges?—A. I can not state the difference in every detail. I know that the regular Krag-Jørgensen cartridge has regular United States stamp and is marked "Caliber .30," and it has the first letter of the arsenal where it is made. For instance, made at Frankfort, it has the letter F; if at Watervliet, the letter W. But I believe no cartridges are made at Watervliet.

Q. You say it usually has the stamp of the United States upon it?—A. Just the initials, U. S.

Q. Those that you have brought here, I understand, do not have such a stamp on them?—A. No, sir.

Q. How did you get these cartridges from your home in Massachusetts to this city?—A. I have a telegram here (displaying it) which shows they were sent to me.

Q. Were they sent by mail?—A. Yes, sir.

Q. Where were the cartridges left at your home in Massachusetts?—A. They were left at any particular place where your father could find them?—A. I had a sort of a den in our house there, and among the articles I had collected were a United States cartridge belt, cartridges, and a bayonet.

Q. What did you write home with respect to sending these cartridges here?—A. I think I told my father to send me three cartridges and my belt in the attic, and to send them directly on receipt of my letter. I have the letter which I received from him yesterday.

Senator CULBERSON. Mr. Chairman, here is a telegram from Richard O'Brien to his son, dated North Adams, Mass., May 20, 1902, to the effect that he had sent these bullets by mail. I ask that this telegram may be printed in the record.

The CHAIRMAN. Yes, let it go in the record.

The telegram is as follows:

NORTH ADAMS, MASS., May 20, 1902

RICHARD O'BRIEN,

Laurence Hotel, Washington, D. C.:

Bullets sent by mail Monday noon.

GAS O'BRIEN

By Senator CULBERSON:

Q. You stated yesterday that you observed a certain effect on the body of two different Filipinos who were killed by bullets fired by American soldiers. Is that right?—A. Yes, sir.

Q. One was at Lapaz and the other at La Nog?—A. Yes, sir.

Q. Take the case at Lapaz. How far was the Filipino who was killed from the soldier who fired?—A. Very nearly a thousand yards. I should say a thousand yards.

How far was the Filipino who was killed at La Nog from the firing troops—the top of his head, as you said, having been hit?—A. I do not know, and can not make a statement. I was at Lapaz a range of 1,000 yards was given by the officers,

were the soldiers members of the Twenty-second Infantry?—

Do you know whether they had issued to them the same cartridges as you have here?—A. I would not like to swear to such a statement. The battle of Lapaz was directly after we landed on the

Is it on what do you base your statement or your inference that the peculiar effect made upon these two Filipinos was produced by the fact that you have here?—A. That was my personal opinion. The outward appearance of the bullet being different from the Krag-Jørgensen bullet.

CHAIRMAN. This bullet is so different from the Krag-Jørgensen

WITNESS. Yes, so far as the numbering on the cartridge is concerned.

Mr. CULBERSON:

While you were serving in the Philippines, did you use different cartridges from these you have here?—A. Yes, sir; I know positively

Do you ever have occasion to see the effect of those bullets as compared with these two instances which you have mentioned at Lapaz and La Nog?—A. I remember at Balangtag there were a number of men who had clean holes through their foreheads.

What was the firing distance at this place?—A. Between 1,000 and 1,500 yards. There were other companies engaged besides ours at that time.

Do you know whether the Krag-Jørgensen bullets produced different effects at different distances?—A. I do not know positively. I know something about this, but know nothing that I could swear to.

Mr. PATTERSON:

Is it not on what we might call the butt of the cartridge that you have the number and letters "U. S." on the regular Krag-Jørgensen cartridges?—A. Yes, sir.

Do you recollect about the date of the issuance of this particular lot of bullets?—A. No, sir.

Do you understand you to say that you brought home about 40 of these cartridges from the Philippines?—A. Yes, sir.

Mr. BEVERIDGE:

Now, Mr. O'Brien, I want to ask a question or two. I was not present that morning at the beginning of your testimony when you testified that at the burning of Igbarras of the violation of a Spanish law by American officers. I am impressed with its seriousness as it concerns the officers, and if the officers are guilty of that they are guilty of a crime which calls for the severest treatment, and I would be the first to insist that such treatment be accorded to those officers. So I want to ask you a few questions. Just where in the town of Igbarras

ras did this woman live?—A. She lived beside the convent, at a slight angle from the convent.

Q. What other persons lived with her?—A. Her husband.

Q. Just the two alone?—A. Yes, sir; with some servants.

Q. What kind of a house was this?—A. It was better than ordinary.

Q. When was the town burned?—A. I do not remember the date.

Q. It was burned immediately upon your arrival, was it not?

A. The scouts under command of Lieutenant Conger and Captain Glenn—

Senator BEVERIDGE. You may suspend at this point and retire. I will ask you to come in again.

TESTIMONY OF BRIG. GEN. WILLIAM CROZIER, CHIEF OF ORDNANCE, UNITED STATES ARMY.

The CHAIRMAN. General Crozier, the committee has asked you to come down here because a witness we have had before us has testified that cartridges containing bullets different from those ordinarily issued were issued to the company of which he was a member in the Philippines; that these bullets were of an explosive nature and had an unusually cruel and lacerating effect. At the request of the committee he has produced three cartridges, which he swears he brought home from the Philippines, and that they are bullets of the class I describe.

Senator CULBERSON. I do not think your statement is a fair and accurate statement of the witness's testimony.

The CHAIRMAN. In what respect?

Senator CULBERSON. The witness has stated that so far as outward appearance of these bullets is concerned they are different from some that are issued to the soldiers, in that they do not have the stamp "U. S." upon them, and some other differences he points out—

The CHAIRMAN. That is true, and he also stated what I have stated.

Senator CULBERSON. And that at two places in the Philippines he noticed that certain effects were produced by the bullets in question, and that he judges as a matter of opinion that they must have been different from those that were regularly issued.

Senator BEVERIDGE. That makes the chairman's statement complete.

Senator CULBERSON. The point was that he judged them explosive and had a cruel effect.

Senator BEVERIDGE. He also stated in reference to the bullets that there was a difference in fact, that they did not have the mark or stamp upon the end.

Senator CULBERSON. Without any member of the committee undertaking to say what this witness has testified to, General Crozier can testify as to these bullets and the bullets that are regularly issued by the Ordnance Department.

Senator CARMACK. We know what facts we want to prove by this witness, and the questions can be asked without undertaking to rehearse the testimony of a previous witness.

The CHAIRMAN. I will ask you, General, to look at these cartridges and state to the committee as an expert if they differ from the ordinary cartridges issued for the Krag-Jørgensen rifle.

The WITNESS (after examining the cartridges). They do not. These are the regulation cartridges, unless they have been tampered with. It is easy enough to unload them to see whether or not they have been tampered with. There is something about them besides that shows they are the regulation ammunition. If you will examine these cartridges closely you will see down at the base of each one of them, stamped faintly, a letter. On this one [indicating] there is the letter "F" and the number "6," I think, the figure "6" being about 90° removed from the letter "F."

Senator BEVERIDGE. What does that indicate?

The WITNESS. It indicates that it was made in June.

Senator BEVERIDGE. What does the letter "F" stand for?

The WITNESS. That it was made at the Frankfort Arsenal. Then there are two figures which indicate the year of its manufacture—I think they are 00, which signifies 1900. These marks show that this cartridge was made at Frankfort Arsenal in June of the year 1900.

Senator BEVERIDGE. Are these regulation ammunition?

The WITNESS. Yes, sir.

Senator DIETRICH. Unless they have been tampered with.

The WITNESS. Yes; unless they have been tampered with, and there is no evidence of that.

By Mr. BEVERIDGE:

Q. Does the regulation ammunition contain explosive bullets? A. It does not.

Q. Are they dumdum bullets? A. They are not.

Q. Is there anything about them that is not common to modern warfare bullets used in ordinary warfare? A. They are perfectly ordinary bullets.

By the CHAIRMAN:

Q. Is it usual to stamp on the base of cartridges the letters U. S.? A. It is not.

By Senator CULBERSON:

Q. Are any of them stamped U. S. that is, those that have been distributed or used in the Philippines? A. I think not. I think the only ones that have been used there have been stamped with the mark of the manufacturer on the base. Some of them would have letters that would indicate the Union Metallic Cartridge Company, some the Winchester Arms Company, and some of them were made by the Kynoch Company, of England, from whom we bought considerable ammunition during the Spanish war.

Q. Seemingly you indicate that those letters would appear, or might appear, when manufactured at some other arsenal? A. To the best of my recollection, those letters do not appear on any of the cartridges. They do, however, appear on the labels of the cartridge boxes.

Senator CARMACK. Those labels are on the boxes?

The WITNESS. Yes, sir.

By Senator CULBERSON:

Q. You have stated that these are the ordinary bullets, and are not explosive or dumdum bullets. I will get you to state to the committee there is any difference in the effect of these bullets on the body, shot at different distances? A. There is a very marked difference in

the effect of the bullets upon different occasions. Whether the effect is due to the distance from which the bullet is fired is uncertain.

Q. I wish you would explain that fully to the committee.—A characteristic of the modern bullet, fired with high velocity; that it strikes in a semiliquid mass it is likely to produce an effect much like an explosion. For instance, soon after the adoption of the present service rifle in the United States Army an escaping prisoner at Chicago was shot in the head by a sentinel, and the top of his head was blown off. Sometimes similar effects are produced by striking the bowels or other soft portions of the body. In the case to which I allude, of course, the range was very close.

An instance occurred in Porto Rico of exactly an opposite result to the accidental shooting of an officer at very close range. He was shot at by a sentinel. The bullet passed through the bowels, ranging forward, as he was dropping to his knees when struck. The officer died well within a week, and yet the man at Chicago had his head blown off, also at close range. These actions are difficult to account for. Not only does the bullet produce these curious effects in the soft portions of the body, but they are observed in the firmer portions of the body. I myself, in the Philippines, examined a Filipino who had been shot at 30 yards immediately after shot. The bullet entered the left side below the shoulder and passed out of the right side at the neck. Where the ball entered the hole was very small, while where it passed out it left a gash 4 inches long. It could only have been accounted for as something like a liquid mass having been forced out. The gas was longer than the longest dimension of the bullet.

By Senator BEVERIDGE:

Q. Do Mauser or Krag-Jørgensen bullets make a small wound?—A. Yes, sir.

Q. Do you recall the instance of a child shot at Manila?—A. Yes, sir. The child when I was there, at the hospital. The hole was visible.

Senator CARMACK. The action of bullets are sometimes eccentric and hard to account for?

The WITNESS. Yes, sir.

By Senator CULBERSON:

Q. You have stated in answer to one of the questions I asked you have noticed the effect of the regular bullets to be rather explosive in certain instances?—A. The language would mean practically that. I do not mean to say that the bullets are explosive.

Q. I simply speak of the effect. I will get you to explain the difference between the dumdum bullet and the normal bullet.—A. In appearance it is very slight.

Senator BEVERIDGE. Any bullet may be made into a dumdum bullet may it not?

The WITNESS. It is done most simply, by filing through the jacket until a small portion of the lead shows.

Senator CULBERSON. Why is that done? In order to produce a lacerating wound?

The WITNESS. It is done to make the bullet expand. It is claimed that it will thereby expand into a pear shape as distinguished from the mushroom shape, and the bullet will pass through the body of a bullet of larger caliber, and will inflict a wound of greater shock.

Senator BEVERIDGE. This dumdum bullet you have in your hand is not one presented by Mr. O'Brien?

The WITNESS. It is not. It is one I filed for myself. Dumdum is the name of an arsenal near Calcutta, where this class of bullets was made, in India. The bullet came into use originally by soldiers filing off the bullets themselves, and afterwards it was manufactured at Dumdum.

Senator CULBERSON. Where are explosive bullets made for war purposes?

The WITNESS. There are no explosive bullets made for war purposes since the convention at St. Petersburg in 1868, where a projectile of less weight than eighty-eight one-hundredths of a pound, designed to be explosive, it was agreed should not be used. The United States was not a party to that convention, but has lived up to its terms.

Senator BEVERIDGE. That convention was inaugurated by Russia's abandonment of the explosive bullet.

Senator CARMACK. It had been used pretty extensively before the convention of 1868.

The WITNESS. I do not think the use of the small explosive bullet was ever extensive.

Senator BEVERIDGE. The effect of a dumdum bullet is the same as the minie ball used in the civil war. It would shatter the bone instead of going through it.

The WITNESS. They sometimes do that now.

Senator CULBERSON. Do I understand you to say you can make your own statement - that you have seen the regular Krag-Jørgensen bullet produce practically the same effect that a dumdum or explosive bullet would produce?

The WITNESS. I would rather let it go from the description of cases I have already given, just as I have seen it, with Krag-Jørgensen bullets, rather than by comparison, as I have never seen a wound made by a dumdum or explosive bullet.

Senator DETRICH. I notice that one of these bullets is shorter than the other two. Do you think that might have been tampered with?

The WITNESS. There is nothing about it to show that it has been tampered with. The difference might arise from the bullet having been pushed down, thus [pushing one down].

Senator BEVERIDGE. You say these are normal bullets?

The WITNESS. Yes, sir.

Senator BEVERIDGE. If on a test they are found explosive bullets, then they have been tampered with?

The WITNESS. There is nothing in those bullets to make them explode.

Senator CULBERSON. You have explained how you made a dumdum bullet yourself. I will get you to state if these three which have been brought here by Mr. O'Brien could easily be made into dumdum bullets?

The WITNESS. Yes, in five minutes, with a common file.

By the CHAIRMAN:

Q. I have one more question to ask. Has there been issued to the troops in the Philippines at any time anything in the nature of a dumdum bullet? - A. There has not.

Q. Or an explosive bullet? - A. There has not.

Q. Anything except the regular bullets for their rifles?—A. There has not. The volunteers who went to the Philippines first were armed with Springfields.

Q. Mr. O'Brien was a member of one of the regular United States regiments and armed with Krag-Jørgensens. Were there any cartridges issued by the authorities of the United States to make a lacerating wound?—A. There were not.

By Senator DUBOIS:

Q. I want to ask one question. Is the dumdum worse in its effects, lacerating and more cruel, than the ordinary bullet?—A. Of normal caliber?

Q. Is the dumdum more cruel, harmful, and lacerating than the ordinary Krag-Jørgensen of the same caliber?—A. It is.

Q. Is it more deadly than this ever is?—A. It is not. It is difficult for any to be more deadly than these sometimes are.

Q. This bullet would be as deadly and lacerating as a dumdum?—A. It might be.

Senator BEVERIDGE. But generally?

The WITNESS. Generally this is the more humane.

In regard to the explosive bullet I may be able to throw some light on the idea that it has been in use. When one of the ordinary bullets, fired at very high velocity, passes close to the ear the ear receives a single sound impulse, not a succession of impulses. This single impulse therefore becomes a "pop," and the impression is that one has heard an explosion. This is a delusion.

Senator BEVERIDGE. Do you mean to say that a bullet passing within 3 or 4 feet of the ear does not produce a singsong effect.

The WITNESS. A bullet passing close enough to the ear will give only a single impulse, not a singsong effect.

By Senator CULBERSON:

Q. You stated that a prevailing idea is that explosive bullets are used. What do you mean by that?—A. I have heard it stated so often that explosive bullets had been used in Cuba, in China, and in the Philippines, and I have had some curiosity to know the source of the reports. I have heard this "pop" so often when I was perfectly sure that no explosive bullets were being used that I am not surprised that people have been deceived. The fact is no such a thing as an explosive bullet is made in the world for warfare.

The CHAIRMAN. I think that the General had better take these three bullets, make an examination, and report upon them.

Senator CULBERSON. I would be perfectly willing for him to take them.

Senator DUBOIS. I am willing, but I do not like the intimation that they may have been tampered with.

The CHAIRMAN. I should like to have him examine these bullets and see if they are normal.

Senator PATTERSON. I have no doubt about their normality.

Senator CARMACK. I do not believe any member of this committee supposes that any dumdum bullets have been issued.

Senator PATTERSON. To satisfy myself I went out and got from Mr. O'Brien the fourth bullet, and the same small marks are on it as on the others.

TESTIMONY OF RICHARD T. O'BRIEN—Resumed.

By Mr. BEVERIDGE:

Q. Now, Mr. O'Brien, how soon was the town of Igbarras burned after your entry? Did you enter with the detachment? How long were you in town before it was fired?—A. It was fired along toward evening.

Q. How many hours after you entered before it was fired?—A. We entered in the morning and it was fired toward evening.

Q. What was the disposition of the troops made after you entered town?—A. Well——

Q. Were they scattered through the town?—A. Some of them were scattered at different places. Some of the soldiers were at the convent. The officers were at the convent, also.

Q. Were you at the convent? Did you know this woman before—the woman whom you say the American officers violated?—A. No,

Q. Did you know her husband before?—A. Not personally.

Q. Did you know of them before?—A. Yes; I had heard of them.

Q. How did you hear of them?—A. The woman was noted for her purity.

Q. When were you informed of this outrage on this woman?—A. After her husband came back—I think it was afterwards. There was report that Captain McDonald would start an investigation.

Q. When did this man tell you?—A. A few days after.

Q. When did he say it occurred?—A. At the burning of the town.

Q. Not before it was burned?—A. I would not state exactly.

Q. How did he happen to tell you?—A. We were talking.

Q. Did he volunteer the statement, or did you ask him?—A. I can swear which.

Q. When he told you, did you ask him any questions?—A. I would state certainly.

Q. Did you ask what officer had violated her?—A. I do not remember.

Q. You were not on friendly terms with Captain McDonald?—A. No, sir.

Q. Might you have asked him whether it was Captain McDonald?—A. It is probable that I would have asked him, but I can not say.

Q. Do you remember that he made any answer, if you did ask him?—A. I do not.

Q. You do not connect his story with any officer's name?—A. No,

Q. Did you write a letter home immediately after this?—A. I do not remember.

Q. In any letter that you wrote home did you detail the violation of the woman?—A. I do not think I did.

Q. You do not think you did?—A. I do not think I did.

Q. How many officers did the man tell you had violated his wife?—A. I will not positively say, but I think—I will not positively say that as he who told me—but I think 4 officers.

Q. During the burning of the town?—A. Between the entry of the troops and the time of leaving.

Q. Between the time the town was entered and the burning 4 officers violated this woman?—A. Yes. Remember, I am not swearing to that.

Q. You swear to the statement about the violation. You are on oath. There were 4 officers who violated this woman, between the entry into the town and the burning——

Senator PATTERSON. This witness has not made that statement. I simply interrupted to say——

Senator BEVERIDGE. Let him say so.

Senator PATTERSON. He has said——

Senator BEVERIDGE. This witness is competent to take care of himself.

Senator PATTERSON. But I insist this is not fair treatment.

Senator BEVERIDGE. I think he is getting very fair treatment.

By Senator BEVERIDGE:

Q. What was your statement about the four officers having violated this woman?—A. I think I said it was hearsay.

Q. I will ask you about that later. Now, hearsay or otherwise, you volunteered the statement that American officers had violated a Spanish woman. I should be the first to insist on court-martial or cashiering for such outrages. Now, how many violated her?—A. I will not state.

Q. Why?—A. Because I do not know—I do not know personally. What I know was told me by her husband.

Q. How many did the husband tell you had violated his wife?—A. Four officers, and afterwards some of the enlisted men.

Senator PATTERSON. This witness has stated that it was hearsay——

Senator BEVERIDGE. Yes; I know.

Senator PATTERSON. Allow me to get through with my sentence. He did not say that a certain thing was done when he does not know it himself.

Senator BEVERIDGE. I have not assumed that he did.

By Senator BEVERIDGE:

Q. Now, you say that the husband told you that four officers violated her, and afterwards enlisted men?—A. Yes.

Q. What time did the husband tell you this was done?—A. I will not state.

Q. Why not?—A. Because I am not positive.

Q. You stated a moment ago that it was between the time of entering the town and its burning?—A. That was the only time it could have occurred.

Q. Now, what officers were there?—A. Captain McDonald, of the Twenty-sixth, Company M; Captain Glenn, of the Third Infantry; Lieutenant Conger, of the Eighteenth Infantry, and a doctor, who I think was Dr. Lyons.

Q. Was that all?—A. Yes, sir.

Q. So, if the statements are true, Captain McDonald, Captain Glenn, Lieutenant Conger, and Dr. Lyons were the men who violated the woman?—A. Yes; if the statement is true.

Q. When did the enlisted men violate her?—A. It must have been at the same time—not exactly the same time.

Q. Were you among your comrades that day?—A. I was in town.

Q. Did you see any officer go into that house?—A. No, sir; I could not have seen it. A house cut off the view from the convent.

Q. You had heard of this woman as exceedingly beautiful?—A. Yes, sir.

Q. You have testified that you visited a prostitute at San Joaquin. Why did you not go to this house?—A. I have never been guilty of such a thing.

Q. You could have gone?—A. I could; yes.

Q. You testified that you visited a prostitute to enjoy her society, and———A. At the time of the burning of the town and before the burning of the town I respected that woman as I respect any woman, as I respect my mother and sister. She was a married woman.

Q. When did these people leave town?—A. Directly at the burning of the town.

Q. Did this woman leave, and her husband?—A. I will not state.

Q. Did the husband tell you why he remained after the first outrage?—A. No, sir.

Q. Of course they must have remained, as one after another violated her?—A. I know that some of the men of the command told me that the woman, when they entered the house, lay there exposed, with her skirt over her face; and they described how nice she was; how she layed up, and so forth.

Q. Who told you that?—A. I do not remember their names.

Q. How is it that you do not remember their names?—A. There were some hundred men in the company and it was a long time ago.

Q. You say this woman commanded your respect, and that she was of exceeding beauty. So if she was violated, would it not seem rather remarkable performance to you? Then, how does it happen you do not remember?—A. Their names come to me, but I do not want to state, because I am not absolutely sure.

Senator CULBERSON. I would like to make an objection. The witness states that while he has in mind the names of some of the enlisted men, he is not positive who were there and does not want to state, no doubt because of injustice he might do in mentioning names, and I do not think these things should be put on the record.

The CHAIRMAN. I can not see why he should not answer. He says the woman was violated by the officers and enlisted men.

Senator CULBERSON. I simply interpose this objection for the reputation of these men of whom he says he has not full knowledge.

Senator DIETRICH. The entire company are under suspicion, and in justice to those who did not take part we should know the names of those who did.

The WITNESS. If the committee wants me to state the names I will do so; but I want it understood that I do not swear absolutely they are the men.

Senator CARMACK. You mean that you do not remember distinctly.

By Senator BEVERIDGE:

Q. These men told him themselves that after the officers had violated the woman then the enlisted men did. What are the names?—A. Patrick Driscoll.

Q. Where does he live?—A. Ballston Spa, N. Y.

Q. Next?—A. Next, Dugast.

Q. What company?—A. Company M, Twenty-sixth Infantry.

Senator PATTERSON. I think the committee is doing a grave injustice by mentioning the names of these men.

The CHAIRMAN. Instead of doing an injustice, it seems to me that the committee is on the road to doing justice.

Senator PATTERSON. The attitude of Senator Beveridge as well as the chairman has been in the nature of a menace to this witness.

The CHAIRMAN. No more in the attitude of menace than you [addressing Senator Patterson] have been in the attitude of defending him.

Senator PATTERSON. I deny that I have been defending the witness, and there is no call for such a statement.

The CHAIRMAN. And I deny that I have in any way attempted to menace the witness.

Senator DIETRICH. I want to say that ever since this investigation commenced, you [addressing Senator Patterson] have encouraged everything to besmirch the American Army and done nothing to bring out anything to the honor of the Army.

Senator PATTERSON. The Senator from Nebraska ought to be ashamed of himself for making such a statement. The truth is exactly contrary to what he has said, and what he has said is absolutely untrue.

Senator DIETRICH. I say it is true, and I repeat that the Senator's efforts have been to bring out everything he could against the Army.

Senator PATTERSON. The Senator should be ashamed to make such a statement. No man is more anxious than I am to present the Army in its true light and develop whatever good may be said of it. I have not hesitated in my course in that respect.

By Senator BEVERIDGE:

Q. Let us have the rest of the names.—A. I have no more.

Q. Can't you think of any more?—A. I can think of others, but—

Q. Now, then, are these the names of the only enlisted men you can remember who told you they had violated this woman?—A. Yes, sir.

Q. You have volunteered this statement of your comrades as to the conduct of the woman during the alleged violation. Now, I want to know whether you can think what time of day the occurrence took place?—A. I do not say that I directly used obscene language in speaking of her.

Q. What time of day? I did not ask what they said about this woman. I ask you again to answer my question. What time of day did they say they did this?—A. I do not remember that they told me the time of day it occurred.

Q. It was after the officers had violated her, was it?—A. Yes, sir.

Q. Did you mention this matter to any of the officers of the Army?—A. No, sir.

Q. Did you in anywise communicate it to any officer?—A. No, sir.

Q. Did you talk to any officer about it?—A. No, sir.

Q. You are familiar with what is known in the Army as the conduct of an officer and a gentleman?—A. Yes, sir.

Q. Then why did you not make some report of this unusual occurrence?—A. I knew that if I had done so I would have been dogged until I was mustered out of the Army. My life thereafter would have been a hell.

Q. Why, then, did you volunteer the statement to this committee that this woman had been violated?—A. I wanted the committee to know the facts as they had been received by me. As I am now out of

the Army and a citizen of the United States, I supposed I would be safe in reporting it.

Q. But you did not report the matter to any superior officer at the time?—A. No, sir.

Q. Did you understand that they had done a thing for which the penalty was discharge, or for which they could be cashiered?—A. Yes; I understood that perfectly well, but in the Army it made no difference how just the complaint might be against an officer, the man who made it was sure to be hounded for doing so.

Q. Did you understand that if you had reported the matter to General Hughes at Manila that General Hughes would hound you for telling the truth?—A. No, sir.

Q. Why did you not do that, since General Hughes would have been your protector?—A. I was afraid.

Q. Now, Mr. O'Brien, did you think that General Hughes would not protect you in truthfully reporting what it was your duty to report?—A. General Hughes was not near where I was at that time.

Q. Did you not know that General Hughes would instantly have ordered a court-martial and investigated the case?—A. I suppose that would have been the result.

Q. Do you not know that this serious charge could have been investigated and proper punishment meted out had it been taken up then and there when the witnesses were within reach?—A. Yes; that was the proper place to have an investigation.

Q. Why then did you not report the matter at the time?—A. I knew what the result would be. It does not matter in the Army how just a charge may be, the man who makes the charge is sure to get hounded. We are supposed to have the best-fed and best-paid Army in the world, but when I was out in a mountain pass where rations could have been bought easily, I and my men were almost starved, while the rations which should have been supplied to us were being disposed of to furnish a "rakeoff" to the officers of the company, at least it seemed that way to me.

Q. You have made the statement now that money for provisions which should have gone to you was going into the pockets of somebody?—A. I have no proof of this thieving.

Senator DIETRICH. You thought Captain McDonald was responsible for it?

The WITNESS. I would not accuse him of being a thief.

Senator BEVERIDGE. At the time of which you speak of these officers getting a "rakeoff" on the disposition of supplies which should have gone to you—

The CHAIRMAN. If the Senator will suspend a moment, we will give General Crozier an opportunity to state the result of his examination of three cartridges brought here by Corporal O'Brien. It will only take him a moment.

TESTIMONY OF GEN. WILLIAM CROZIER—Resumed.

General CROZIER. I have simply pulled the bullets out of the cartridge cases and examined them. I find them perfectly normal bullets, such as are issued to all of our troops. They have not been tampered with and there is nothing abnormal about them.

TESTIMONY OF RICHARD T. O'BRIEN—Resumed.

By Senator BEVERIDGE:

Q. Now, Corporal, name the officers who, at the time you speak of, were getting this rake off?—A. I did not state that these officers were getting a rake off.

Q. The witness has stated that money was going into the pockets of somebody. Give us the names of the officers there at the time.—A. Captain McDonald, Lieutenant Plummer, the commissary officer, the commissary clerk, the first sergeant, and the quartermaster-sergeant.

Q. Who were the first sergeant and the quartermaster-sergeant?—A. First sergeant was Stahlberg—William Stahlberg. The other was Charles S. Riley.

Q. Give me their addresses.—A. Stahlberg is now on the police force at Manila.

Q. Now, Corporal, do you say that the condition of the rations issued showed that there had been a rake off?—A. It looked that way.

Q. And if there was a rake off these are the men who got it?—A. I should say so. The rations came through them.

Q. You stated the other day that you ranked Captain McDonald as a thief.—A. I had no proof.

Q. You stated the other day that you ranked Captain McDonald as a thief.—A. Not positively. I said I had no proof.

Q. Is this the basis for which you rank him as a thief?—A. There are other things. When we first came from Guimbal we were situated in a stone building furnished by the presidente, and we had salmon for nine consecutive days and hard bread and coffee. Our lieutenant, Lieutenant Monogan, afterwards assigned to L Company of the Sixth Infantry, was with us at that time. He would send in for his meal to Downey, the cook. Downey would treat him to a whole can of salmon. He would look at it and turn up his nose, and then ask Downey if that was all he had. Downey would say yes. Then the lieutenant would ask if he could not get him a chicken. Downey would say he had none. "Can't you find some?" the lieutenant would ask. These are not the exact words used in the conversation, but I am giving the sense of that which took place. Downey would tell him he had no money to buy chicken.

The lieutenant would usually jump on his horse and ride down to Guimbal, a distance of 4 to 8 miles. There he would call upon one of the leading inhabitants of the town—a man of some means—for his meal. He kept that up for a number of days until Private Bertchey, of the hospital corps, was sent one day to Guimbal. He spoke Spanish very fluently, and he went and told this party that he could charge Monogan for his meals; that he was taking advantage of his hospitality. The officers made it a regular stopping place. Other officers stopped there and imposed on this man. The man had some very beautiful daughters, and I do not know whether they or the meals were the attraction. So we just lived on that way. There was nothing for us but salmon.

Q. Why do you volunteer the statement about the man's daughters?—A. I just said I did not know whether the girls or the meals were the attraction.

Q. Was salmon all you had?—A. We had our flour, hard bread, and meat for those nine days.

Q. You gave instances for ranking Captain McDonald as a thief.—
 . This is one of them. The money was forwarded to Captain McDon-
 d from Iloilo to purchase supplies.

Q. And the food was not purchased?—A. No, sir.

Q. That connects Captain McDonald. Any other instances you can
 think of now?—A. Yes. On one occasion we were to have a Thanks-
 giving dinner on supplies bought with the company fund. We had a
 and from the canteen—that was before the canteen was abolished.
 We saw nothing of this fund at all.

Q. Who had charge of that fund?—A. It was supposed to be under
 the charge of a company council, but we knew nothing of a company
 council.

Q. Who had charge of that fund?—A. Captain McDonald.

Q. Who contributed to this fund?—A. I do not know.

Q. And Captain McDonald had it?—A. Yes, sir.

Q. And he never spent it for your benefit?—A. No, sir.

Q. That is specific. Any other instances?—A. Another instance
 at the fund was not used properly was when we were in Iloilo,
 where everything was obtainable from turkeys down to toothpicks.
 We were to have a dinner there from that fund, but when it was served
 all we got was some caribou slum for our dinner.

Q. These are the two specifications to support your statement that
 Captain McDonald is a thief?—A. There was general dissension.
 There was dissension among Sergeant Conway, Sergeant Benthein,
 Sergeant Partridge, and Sergeant Riley. Those men—some of them—
 were what is commonly termed “dog robber.”

Q. What is that?—A. A dog robber? I do not know the name of
 unless you say—. It has some political name which I can not
 think of.

Q. Go on.—A. Some of them were with Captain McDonald and
 bers. He would cater to them—

Q. There were two factions?—A. They were old men. They knew
 what we were entitled to and knew that we were not getting it. When
 the Thanksgiving dinner came up, and we looked forward to it with
 great expectations, and when they saw what was dished out to us there
 was complaint. Sergeant Conway spoke about it. These sergeants
 threatened to resign or asked to be reduced to the grade of private.
 When Captain McDonald called them into private consultation and said
 to them that he would have a big dinner at Guimbal on Christmas.

Q. Were you there at that private consultation?—A. No, sir.

Q. How did you know about it?—A. Sergeant Benthein and Ser-
 geant Conway and I were on good terms.

Q. Did Captain McDonald have a private consultation with you?—
 . No; only with the sergeants.

Q. Were you not an officer?—A. Yes; but only a corporal, and the
 consultation was with the sergeants.

Q. Any other instances to prove Captain McDonald to be a thief?—
 . Let me think—I mean I think there is. [After a pause.] I can
 think of no other.

Q. I want to go to the point I was examining you on when you vol-
 unteered the statement about the funds, that is, concerning the viola-
 tion of this woman. Did you ask the woman about this?—A. I
 did not.

Q. Why not?—A. From a sense of common propriety.

Q. Now, why did you volunteer, without being asked, the following statement, which I will read from your testimony given on Monday, the 19th:

"I would like to state something else I have not seen in the papers in relation to the burning of that town. There was a Spanish woman there, a highly educated woman so far as education goes, a graduate of the seminary at Molo, educated by the Sisters there. Her husband was a consumptive. At the burning of the town this woman was violated by the American officers."

The WITNESS. Why I volunteered that statement?

Q. Yes.—A. Because I thought it an outrage to humanity.

Q. Did the occurrence strike you as an extraordinary thing?—A. It shocked my sense of propriety.

Q. It struck you as an extraordinary occurrence, and yet you did not report it at the time?—A. I usually kept my mouth shut.

Q. Have you satisfied yourself that this is true?—A. Only from the husband's own mouth.

Q. Is that the reason you volunteered the statement here?—A. I wanted to tell the committee one of the many things that have been produced over there by American officers.

Q. By hearsay?—A. I am sorry that I have no more direct evidence than what the husband told me—sorry that I have only the hearsay testimony of the husband.

Q. If you are sorry that you have no more evidence, why did you not get more evidence when you were on the ground and in a position to get it?—A. I was probably busy at other work.

Q. When were you discharged from the service?—A. The 13th of May, 1901, at San Francisco.

Q. Anything extraordinary about your discharge; anything unusual?—A. No, sir.

Q. Have you your discharge papers with you?—A. No, sir.

Q. Where are they?—A. At North Adams.

Q. Was there any letter in connection with your discharge?—A. No, sir.

Q. I think it is clear from your testimony, but I do not wish to do you an injustice, so I will ask you whether it is true that you were constantly during your service making complaints?—A. I did make numerous complaints.

Q. One more question and I am through. When you stated before this committee that these officers had violated this woman, did you state to the committee, and therefore to the public, your belief? Do you believe they did violate this woman?—A. I will not commit myself either way.

Senator BEVERIDGE. I think you will answer that question.

The WITNESS. Is it necessary for me to answer, Mr. Chairman?

The CHAIRMAN. I think that is necessary after what you have said.

The WITNESS. I think the committee understands that I did not see this. It is circumstantial evidence——

Senator PATTERSON. You are asked for your honest belief.

Senator BEVERIDGE. Let my question be read again.

The clerk read as follows:

"When you stated before this committee that these officers had violated this woman, did you state to the committee and, therefore, to the public your belief? Do you believe they did violate this woman?"

By Senator BEVERIDGE:

. I ask you whether you believed that these officers did violate woman.—A. So far as Captain McDonald is concerned, I believe capable of it, but as to the other officers I know nothing about it. Senator BEVERIDGE. Now, Corporal, I think you will answer that question.

Senator PATTERSON. I think he answered it frankly.

the WITNESS. I think it is not fair to drag in the names of these men. These men have families, and I do not think I should drag in names of these men and accuse them on hearsay testimony.

By Senator BEVERIDGE:

. Then, why did you do it the other day?—A. I stated it on hear-

Senator BEVERIDGE. You said this: "At the burning of the town woman was violated by the American officers."

Senator PATTERSON. But following that statement he said it was on hearsay testimony. He immediately stated that on investigation and he it clear that it was on hearsay.

the CHAIRMAN. He made the positive statement and then he stated it was on hearsay. After setting this story afloat it is no more right that he should be asked whether he believes the story.

Senator PATTERSON. As for setting this story afloat—giving it to public—it was done over the protest of Senator Rawlins and myself. We both called attention at the time that this was hearsay testimony, and that statements of this kind ought not to go on record. If the committee had not admitted this testimony, I say not a speck of this story would have gotten to the world. There was no person present when the story was told except the members of the committee, the trusted clerks of the committee, and the members of the various press associations. Surely the members of the committee would not have given it out, and the clerks of the committee would

And the representatives of the press, at the request of the committee, would not have said one word about it. So, I say, the majority of the committee is responsible for whatever publicity has occurred.

Senator BEVERIDGE. When the witness volunteered this statement, he did not say it was on hearsay. He said: "There was a Spanish woman there, a highly educated woman, so far as education goes, a graduate of the seminary at Molo, educated by the Sisters there. Her husband was a consumptive. At the burning of the town this woman was violated by the American officers."

Senator PATTERSON. When the statement was made, there was no one in the committee room but privileged clerks and the representatives of the press aside from the members of the committee. When it was brought out—as it was brought out soon after the statement was made—that this was hearsay, Senator Rawlins and myself protested against its going into the record, and the chairman said it had already gone to the press of the United States. It had not then gone out of this room.

Senator BEVERIDGE. I am not connecting you with the publicity of the story. My question is for an entirely different purpose, and I will rest upon this witness making answer, either yes or no.

Senator PATTERSON. The witness has a very proper regard for the officers other than Captain McDonald, and he does not want to be

forced into an expression of his belief. His belief can cut no figure one way or another.

Senator DIETRICH. I want to ask the witness a question: If you believed that these officers who have families were not guilty, in behalf of those families you would say so, would you not?

The WITNESS. Yes, sir.

By Senator BEVERIDGE:

Q. This witness did not express any delicacy as respects these officers. He said the officers violated this woman. Now, I will repeat my former question: When you stated before this committee that these officers had violated this woman, did you state your belief? Do you believe they did violate this woman.—A. I do.

Senator BEVERIDGE. That is all.

Senator CULBERSON. Wait one moment——

Senator PATTERSON. In view of the controversy which occurred during the progress of the examination of this witness I want to make a statement to go into the record separately. When this witness made the statement that American officers had violated a Spanish woman, within four or five or six questions thereafter it became apparent that the charge was made upon hearsay, arising from the statement of the husband of this woman, and in order that it may appear in the record just what and when and where the statements were made, I want to read from the testimony of the witness on Monday, May 19, commencing on page 2544, as follows:

“By the CHAIRMAN:

“Q. That is the case that other witnesses have testified to!—A. Yes, sir. I would like to state something else I have not seen in the papers in relation to the burning of that town. There was a Spanish woman there, a highly educated woman so far as education goes, a graduate of the seminary at Molo, educated by the Sisters there. Her husband was a consumptive. At the burning of the town this woman was violated by the American officers.

“Q. What officers?—A. I do not know their names——

“Q. It is very important to know their names.—A. I don't know that, but——

“Q. You say this woman was violated by the officers but can not give the names of the officers? Who were the officers who were there?—A. Captain Glenn, Lieutenant Conger, and Capt. Fred McDonald, and Dr. —; I can not think of the doctor's name.

“Q. Dr. Lyon?—A. I would not swear to that; I disremember.

“Q. Were those all the officers? Was no officer of your regiment present?—A. Captain McDonald, of my company.

“Q. Was it he?—A. I don't know, sir.

“Q. Then what reason have you to say that they violated this woman?—A. This is what I got from her own husband, that they violated her first, and afterwards she was violated by the enlisted men.

“Q. And you do not know the names of any of the men concerned in it?—A. No, sir.

“Q. You did not see it?—A. No, sir.

“Q. You are repeating only what her husband told you?—A. Yes, sir.”

All the foregoing were propounded by the chairman of the committee.

“ By Senator DUBOIS:

“ Q. Was she a Spaniard?—A. Yes, sir; she was a mestizo; that is, half-breed.

“ Q. Have you given the names of all the officers there?—A. Yes, sir.

“ Senator RAWLINS. I am of the opinion that cases involving such a large as that ought not to rest on mere hearsay testimony.

“ The CHAIRMAN. The witness has made a serious statement, and made it under oath, and if he has testified falsely, of course, he is liable for perjury.

“ Senator RAWLINS. The witness has said he was informed so and so, and my point is that is hearsay testimony, and that it ought not to be admitted.

“ Senator PATTERSON. Of course, he is not liable for perjury whether these charges prove to be true or not, because he is speaking from hearsay, and gives his authority for the statements. I fully agree with Senator Rawlins that a statement of that kind, based solely upon hearsay, ought not to go on record.

“ Senator RAWLINS. It is not competent testimony.

“ The CHAIRMAN. It has already gone to the press of the United States, with the names of the officers.”

It was my feeling and the feeling of Senator Rawlins and the minority of this committee, because it was an American officer or officers, since it was an imputation resting upon hearsay, that it should not go into the record and that nothing should be heard of it outside of this committee room. It was because of the good name and honor of the American soldiers and American officers. And everything that followed has been dragged out—and I use the term advisedly—by Senators belonging to the majority. There was no necessity for it, because, as I stated before, there was no one in the committee room but the witness, the members of the committee, privileged clerks, and the members of the news agencies. Surely, the chairman would not charge that members of the committee would make public statements stricken from the record, and certainly the privileged clerks would not do so. If the statement had been stricken from the record, and a request made that nothing be said about it in the press, it would never have been conveyed to the public. Whoever is responsible for making this a public matter, the responsibility does not rest with any member of the minority.

So far as the witness is concerned, I do not think that any member of the minority had any conversation with him. His statement about this matter was, in my opinion, a bad statement to have been made, but it should be remembered that many witnesses are not fully cognizant of the rules of testimony.

I say this much in justification of the minority of this committee and because of the statements made by the Senator from Nebraska.

Senator BEVERIDGE. There is no desire to connect this witness's unfortunate statement with the minority, or the majority, or anybody else, but these statements went to the representatives of the press before any objection could be made. I do not say that the minority did not make objections as soon as it was practicable to do so. So far

I am concerned this testimony was presented to me this morning and the thing had gone to the country. It seemed to me perfectly proper that, this witness having made these serious, voluntary state-

ments, he should be examined not only as to their credibility, but in all their phases. I desire to ask the witness one more question.

When you made the statement about the enlisted men, two of whom you named as having violated this woman, did you make that statement as your belief? Do you believe that those enlisted men also violated that woman?

The Witness. I do.

Thereupon, at 1.30 o'clock, the committee adjourned until tomorrow, May 22, 1902, at 10.30 o'clock.

WASHINGTON, D. C., *May 22, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman and Senators Allison, Beveridge, Burrows, McComas, Carmack, Culberson, Dubois, and Patterson.

The CHAIRMAN. I have here a communication from the War Department inclosing a statement from Mr. Conant, a memorandum in regard to Philippine coinage. That will go in with the coinage hearing.

I also have a letter from the Secretary of War inclosing a statement from General Crozier in regard to the explosive bullets which came in yesterday. As he has testified, I do not know that it is necessary to put this in, but it is very brief and I will have it inserted.

WAR DEPARTMENT,
Washington, May 20, 1902.

SIR: With reference to testimony which appears by the public press to have been given before your committee yesterday, I inclose herewith a copy of a question addressed to the Chief of Ordnance, and his reply thereto.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,
*Chairman Committee on the Philippines,
United States Senate.*

WAR DEPARTMENT, OFFICE OF THE SECRETARY,
May 20, 1902.

Memorandum for the Chief of Ordnance: Please inform me whether any explosive bullet, dum dum bullet, or bullet of that class has ever been manufactured by or purchased for the United States, or issued for the United States troops in the Philippines or anywhere else.

ELIHU ROOT, *Secretary of War.*

[First indorsement.]

OFFICE OF CHIEF OF ORDNANCE.
Washington, May 20, 1902.

Respectfully returned to the honorable the Secretary of War, with the information that no explosive bullet, dum dum bullet, or bullet of that class has ever been manufactured by or purchased for the United States, or issued for the United States troops in the Philippines or anywhere else.

WILLIAM CROZIER,
Brigadier-General, Chief of Ordnance.





The papers referred to by Senator Culberson at the close of the session of Wednesday, May 21, with the request that they be printed, are as follows:

APRIL 11. 1902.

SIR: In the matter of the application to the President by Clemencia Lopez for the release from arrest and detention of her three brothers, Lorenzo, Cipriano, and Manuel, which you referred to me "for report and recommendation," I have the honor to submit the report hereto attached, and by reason of the matters and facts therein set forth I am impelled to report as follows:

(1) That under the conditions existing in Batangas Province in December, 1901, Brigadier-General Bell, in the instance under consideration, exercised a lawful authority in a lawful manner.

(2) That the showing made by the papers filed herein is not sufficient to overthrow the presumption that the action taken by the authorities in Batangas was warranted by the facts and the necessities of the military situation.

In response to your request for recommendation, I submit the following:

That this application be denied and the applicant advised that the President is confident that the persons now held in detention and the property of the family now under guard will be released as soon as the conditions in Batangas Province will warrant.

Respectfully submitted.

CHARLES E. MAGOON,
Law Officer, Division of Insular Affairs.

The SECRETARY OF WAR.

WAR DEPARTMENT, OFFICE OF THE SECRETARY,
DIVISION OF INSULAR AFFAIRS,
April 11, 1902.

REPORT ON THE APPLICATION TO THE PRESIDENT OF THE UNITED STATES BY CLEMENCIA LOPEZ FOR THE RELEASE FROM ARREST AND DETENTION OF HER THREE BROTHERS, LORENZO, CIPRIANO, AND MANUEL.

SIR: I have the honor to acknowledge the reference to me, "for report and recommendation," of the application to the President of the United States by Señorita Clemencia Lopez for the release from arrest and detention of her brothers, Lorenzo, Cipriano, and Manuel, now confined on the island of Talim, by order of Brigadier-General Bell, United States Army, commanding the United States military forces in Batangas Province, P. I.

This application requests the President to exercise his authority as Commander in Chief of the Army and Navy of the United States and reverse the action taken by the commanding officer of the military forces of the United States conducting actual hostilities in Batangas Province, presumably intended to promote the military purposes occasioned by existing conditions in that locality. In order to give such application intelligent consideration it is necessary to bear in mind the general features, at least, of the military situation in Batangas Province.

By reference to the map attached hereto it will be seen that Batangas

Province adjoins Cavite Province on the south and extends to the entrance of Manila Bay. It is manifest that the forces of the insurrection in that locality are in dangerous proximity to Manila and easy of access for the conveyance of supplies, information, advice, etc., and at the same time knowledge of their hostile operations is spread throughout Manila and thence to the world, creating a feeling of insecurity in Manila and an erroneous impression, in other quarters, of the state of affairs in the archipelago. The situation resembles, in some respects, that presented by Indian outbreaks in the United States. It is easily recalled that a few years ago the massacre of a single family at White Lake Reservation, in Minnesota, created consternation throughout the civilized world, while a serious uprising and predatory raid in New Mexico and Arizona passed as an ordinary incident of summer on the frontier.

By again referring to the attached map it will be seen that the adjoining provinces of Batangas, La Laguna, and Infanta form a narrow strip of insurrectionary territory extending entirely across the island of Luzon, cutting in two the pacified territory of that island. Said narrow strip reaches the ocean on both sides of the island of Luzon, affording communication by water with the other portions of the archipelago and the world. It is apparent, even to a civilian, that from the military standpoint this situation is intolerable, and that it is of the greatest importance that this break in the lines should be closed.

The situation in Batangas Province is as follows:

As a result of previous military operations the United States Philippine Commission were of opinion, on May 2, 1901, that said province was sufficiently pacified to permit the installation therein of civil government; and on said date adopted act No. 126, being "An act extending the provisions of 'the provisional-government act' to the province of Batangas." (See laws of U. S. Phil. Com., 1901, p. 208. Div. Ins. Affrs.)

This pacificatory measure was rejected by the inhabitants of the province, and by reason of the increased activity of the insurgents the Commission were obliged to abandon the effort to establish civil government therein and relegate the government of civil affairs to the military authorities. This was accomplished by the adoption of act No. 173, dated July 17, 1901, entitled "An act restoring the provinces of Batangas, Cebu, and Bohol to the executive control of the military governor." (See Laws of U. S. Phil. Com., 1901, p. 303. Div. Ins. Affrs.)

Naturally persons in Manila, Cavite, and adjoining provinces who desired to follow the fortunes of the insurrection congregated in this nearby province, and their operations required the attention of the military forces of the United States. On December 1, 1901, Brigadier-General Bell was assigned to the command of the United States forces in that province and made the military governor of Batangas. As commander of the military forces General Bell entered upon an active and vigorous campaign against the insurgent forces. The records in the office of the Adjutant-General, War Department, of events occurring in Third Separate Brigade, Division of the Philippines, commanded by Brig. Gen. J. F. Bell, United States Army, show that during the month of December, 1901, the several detachments of troops sent out by him engaged the forces of the insurgents almost daily, with the

ifying result that on January 8, 1902, General Bell was able to report as follows:

PAINT-GENERAL DEPARTMENT NORTHERN PHILIPPINES, Manila:

Anastacio Marosigan, accompanied by Maj. Mariano Cabrera, brother of [redacted], and the renegade priest Magdaleno Castillo, who has been out with the [redacted] for a year or more, entered Taal to-day and made an unconditional surrender of themselves and their entire command. These men have had control of a portion of Batangas surrounding Lake Taal and extending westward toward [redacted], including Bauan and Cuenca. The agreement is that they shall surrender [redacted] every man and gun. Some of their guns have already been captured, and [redacted] to our best information they should have remaining somewhere between [redacted] and 180 guns. I have given him five days in which to concentrate his command [redacted] close to Lemer. This surrender, if complete, will entirely clear Occidental Batangas of insurgents. The formal surrender will take place next Monday. [redacted] are 1,500 men now in this town just returned from the Loboo expedition. [redacted] presence here, and our intention to invade that country, which was well known to the towns, brought about this surrender.

[redacted] expected to consume five days in the Loboo expedition, but Colonel Wells's [redacted] and only returned yesterday, consuming seven, and Colonel Wint's to-day, consuming eight. The mountains were found to be extra difficult and full of supplies. [redacted] patience and perseverance and much climbing in hunting insurgent's cuartels [redacted] [redacted] of palay. Immense quantities of palay destroyed and many cuartels [redacted]. Expedition successful and results valuable. Will report details when [redacted] can be secured from Colonels Wells and Wint. The priest Castillo has [redacted] to surrender the Virgin Casayaay, which he stole from the church and by [redacted] of which he has collected large sums of money for the insurgents of the [redacted] and superstitious. * * *

The position of military governor was beset with peculiar difficulties. The authorities of the United States ardently desired the establishment of a civil government of peace, which should insure the largest degree of [redacted] consistent with the maintenance of individual rights and collective tranquillity; on the other hand, a majority of the inhabitants of the province deliberately rejected the conditions of peace and elected to continue the conditions of war. The rejection of the civil government, with its attendant benefits and privileges, offered by the Commission, left no alternative for the United States but to have recourse to military government and martial law. Brigadier-General Bell was [redacted] upon to perform two services: (1) To disperse the armed forces of the insurrection; (2) to bring the inhabitants of the province to a [redacted] sense of the advantages to be derived by accepting and maintaining the civil government theretofore rejected by them. Since Brigadier-General Bell was conducting actual hostilities against the forces of the insurrection, he was authorized to exercise the powers of commander of belligerent forces in territory subject to military occupation. Such a commander is authorized to do anything which necessity requires and prudence dictates to accomplish the purposes of the military undertakings, subject to the orders of his military superiors and limited only by the rules and usages of war. In speaking of military government during a time of actual hostilities, the Supreme Court of the United States say:

It may do anything necessary to strengthen itself and weaken the enemy. There is no limit to the powers that may be exercised in such cases, save those which are [redacted] in the laws and usages of war. (*New Orleans v. Steamship Co.*, 20 Wall., 387.)

The fact that the insurrection in the Philippine Islands has degenerated into a [redacted] of guerrilla warfare increases rather than diminishes the authority of the commander of the forces engaged in its suppression, for persons engaging in guerrilla warfare and those who adhere to or support them forfeit the protection afforded by the laws of war. (*Woolsey*, 5 ed., secs. 125, 134, 142; *Vattel*, Book 3, ch. 15, sec. 226.)

Such was the course enjoined upon the Union Army during the civil war. (General Orders, No. 1, Dept. of Mo., January 1, 1862, R. R., S. I., vol. 8, p. 476; Scott's Autobiography, p. 574.)

In the application under consideration, reference is made to the alleged fact that at the time the order of detention was made the suspected individuals were noncombatants. This raises the question as to the authority of the military government of hostile territory over non-combatants found within its territorial jurisdiction. In territory which is the theater of active military operations resulting from actual hostilities, the persons of the inhabitants, like their property, are subject to the fortunes of war and may be treated in such manner as the discretion of the military authorities shall determine to be required by the necessities of the military situation. Neither personal nor property rights are to be ruthlessly invaded; yet none of said rights is superior to the supreme right of national necessity arising in war.

Lest it may be thought that the military authorities of the United States, in dealing with the guerrilla bands and their supporters by which the insurrection in the Philippines is now carried on, have adopted a harsher rule than prevails in ordinary war, attention is directed to the following extract from Berkhimer on Military Government and Martial Law, page 75 et seq.:

As a rule, all who are simply engaged in civil pursuits are exempt from the direct effect of belligerent operations unless they abandon their civil character and are actually taken in arms or are guilty of some other misconduct in violation of the usages of war whereby they forfeit their immunity. * * * This exemption from the extreme rights of war is confined to those who refrain from all acts of hostility. If those who would otherwise be considered noncombatants commit acts in violation of this milder rule of modern warfare they subject themselves to the fate of the armed enemy, and frequently to harsher treatment. If some thus transgress and they can not be discovered the whole community frequently suffers for the conduct of these few. In the Franco-Prussian war it was a common practice for the Germans to arrest and retain in custody influential inhabitants of places at or near which bridges were burned, railroads destroyed, etc., by unknown parties within occupied French territory.

But moderation toward noncombatants, how commendable soever it be, is not absolutely obligatory. If the commander sees fit to supersede it by a harsher rule he can not be justly accused of violating the laws of war. He is at liberty to adopt such measures in this respect as he thinks most conducive to the success of his arms. How important it is, therefore, on the ground of policy, even if higher moral considerations are lost sight of, that noncombatants maintain strictly their character as such. Their happy lot, amidst war's desolation, is due to the grace of the conqueror. If therefore he have cause to suspect the good faith of the inhabitants of any place or district he has a right to adopt measures which will frustrate their plans and secure himself. He is responsible only to his own Government.

The customs of modern warfare, as well as chivalric sentiments, prompt soldiers to treat women with all possible consideration. The commander who ruthlessly makes war upon the gentler sex, acting toward them with unnecessary harshness can not escape the stigma attaching to such conduct in the eyes of the world, and may find himself prescribed for so doing by his enemy. While, however, it is true that women are protected in the midst even of active hostilities, it is only on the implied condition that they will in every respect so conduct themselves as to merit such generous treatment. They must not forget that they owe their fortunate position to the kindness of the conqueror. But if they adopt a course plainly showing insensibility to the kindness shown them, either by overt acts or secret plotting, he is justified in treating them more rigorously. Even women and children may be held under restraint if circumstances render it necessary in order to secure the objects of the war. If the commander has good and sufficient reasons for departing in this regard from the rules of politeness and the suggestions of pity, he may do so without being justly accused of violating military customs.

The success of his arms is the first object of the conqueror. He owes to his government the duty of securing that success by every means known to the laws of war.

Beyond what they permit, his conduct should not be signalized by severity. Each case, as it arises, must be judged by the attending circumstances, the means employed, and the danger they were designated to guard against. The responsibility of the commander is always great. His conduct is not to be hastily condemned. His acts are often influenced by reasons not generally known, or which it would [not] be easy or wise to explain.

The rule that war places every individual of the one in hostility to every individual of the other belligerent state is equally true whether it be foreign or waged against rebels treated as belligerents. The latter branch of the rule has been affirmed by repeated decisions of the Supreme Court of the United States, which also establish the integrity of the main proposition.

The rule that certain of the enemy's subjects are to be treated as noncombatants gives rise to the correlative duty on their part to refrain from acts of hostility. This obligation is enforced with great rigor by the dominant power. Inhabitants of the country militarily occupied are not permitted to make war as they please, being soldiers one day and engaged in peaceful pursuits the next. In the instructions for United States armies such persons are called war rebels.

During the civil war in the United States, thousands of men and women were held in detention by order of the commanders of the Union forces, because it was feared that their unrestrained liberty was inimical to the interests of the Union. These detentions were enforced not only in the rebellious and border States, but throughout the loyal States of the North.

In his article on habeas corpus in *Labor Cyclopedia* Alexander Johnston says:

The records of the provost-marshal's office in Washington show 38,000 military prisoners reported there during the rebellion.

The context shows that the writer refers to political prisoners.

Rhodes' *History of the United States* (1899) says (vol. 4, p. 230):

In our own country during the civil war the number of arrests of political prisoners must be counted by thousands.

In a note supporting the foregoing text the author says:

Col. F. C. Ainsworth, chief Record and Pension Office, War Department, very kindly made at my request a thorough search of the records, and the result is given in his letter to me of June 1, 1897. "A commissary-general of prisoners was appointed in date from October 7, 1861, and the records of his office, which cover the period from February, 1862, until the close of the war, contain the names of 13,535 citizens who were arrested and confined in various military prisons during the war.

"After a protracted and exhaustive examination of these records it has been found impossible to determine with even approximate accuracy how many of these prisoners were charged with any particular class of offenses. The records are very incomplete, and in many instances do not show the charges on which arrests were made. In addition to this many prisoners were confined in two or more different prisons, the records of which do not agree as to the causes of the arrests. Some of the charges recorded are as follows: Treason, disloyalty, meeting or participating in riot, aiding and abetting rebels, defrauding Government, stealing Government property, robbing United States mail, blockade running, smuggling, spy, enticing soldiers to desert, aiding and harboring deserters, demanding recruits of bounty, robbing, stealing. For the reasons stated above, however, it is impossible to ascertain how many arrests were made on any one of these charges.

"It is certain that a considerable number of arrests of civilians in addition to those reported to the Commissary-General of Prisoners were made during the war, because it is known that prisoners of this class were confined by military authority in State prisons and penitentiaries, the records of which are not on file in this Department, and nothing has been found to show that prisoners of this class were reported to the Commissary-General of Prisoners. It is also probable that the records of that officer do not contain the names of many persons who were arrested by order of the Secretary of State or the Secretary of the Navy.

"I have given the subject of your inquiry much attention, and several of the most experienced clerks in the office have made an examination of all records likely to throw light upon the subject, but I regret to say that the result of the investigation

is far from being satisfactory. I am convinced, however, that it is impossible to compile a statement with regard to this subject that will be of more value to you than that given above.

In reply to your inquiry as to the accuracy of the statement made by Mr. Alexander Johnston, in Leler's Cyclopædia, to the effect that 38,000 prisoners were reported to the provost-marshal-general during the rebellion, I beg to say that a thorough search of the records has been made for the purpose of determining, if possible, the authority upon which this statement was based, but nothing whatever relative to the subject has been found. I am satisfied that this statement was based upon an "estimate" that may have been made by Johnston or by some one for him, and was really nothing but a guess.

Mr. Vallandigham, in a speech in Congress February 23, 1863, declared that at one time there had been confined for "treasonable practices" 640 prisoners at Camp Chase, Ohio. The assistant provost-marshal-general of Illinois stated in his report of August 9, 1865, that the number of arrests, exclusive of deserters, from the date of the organization of his office to May 31, 1865, was 443.

The arbitrary arrest and detention by peace officers of persons suspected of the commission of criminal acts or the intention to violate social peace and order is a matter of daily occurrence in peaceable and law-abiding communities and is an ordinary exercise of the police power of the State.

It seems apparent that the authority exercised by Brigadier-General Bell in the instance under consideration is a lawful one, and that it is the abuse and not the use of such authority which is subject to criticism.

The question as to whether or not the action complained of in this instance was an abuse of authority turns upon the existence or non-existence of a necessity for the action or the existence of conditions from which the necessity might reasonably be inferred. The rule is similar to the rule for justification of the exercise of the right of self-defense. Military authorities called upon to suppress an insurrection are certainly permitted a liberty for action equal to that of peace officers in law-abiding communities.

Application to the Adjutant-General's Office and the record room of the Division of Insular Affairs discloses that no reports on this particular case have been received from either the military or civil authorities in the Philippine Islands. It is therefore necessary to confine this report to an examination of the statements made in the application and test their accuracy by such knowledge of affairs in the Philippines as is available in this Department.

In this application Clemencia Lopez, with reference to the moving cause of the detention, says:

Against two of my brothers there is no definite charge. * * * My eldest brother, Cipriano, is accused without evidence of having concealed 50 guns when he surrendered with his troops in March, 1901 (p. 1).

The only charge against them was a false denunciation by an enemy of our family to the effect that Cipriano * * * had failed to surrender 50 rifles, and this accusation was not accompanied by the least bit of proof (p. 2).

Against all of these they had only suspicions and unproved accusations that they were contributing to the continuation of the war, and the fact that General Malvar is not yet willing to surrender (p. 3).

(Malvar is the leader of the insurgents operating in Batangas.)

The Philippine authorities * * * have neither proof nor evidence, and have listened only to the false accusations of an enemy of our family who wished to revenge himself in this infamous way because, on account of the influence of my brother, he failed to be elected president of Balayan (a town in Batangas). He was accused by Captain Cheever of the Sixth Cavalry, whose friend and candidate he was p. 41

letter dated Manila, January 17, 1902, Juliana Lopez writes to Lopez at Hongkong as follows (Appendix A, p. 58):

on me for saying that our enemies and those that are jealous of us are glad of what is happening to us, and not content with that, are improving opportunity to us of all sorts of things which are false, so that we may be ruined and our poor with us, who have committed no other fault than that of being loyal to us.

In the foregoing it appears that General Bell was called upon to deal with a critical situation in an important official position, could not ignore the charges for that reason. The other evidence was secured by Brigadier-General Bell is natural beyond the knowledge of the applicant, and the statement, however positively made, that "this accusation was not accompanied by the least bit of proof" or was "without evidence" does not overthrow the presumption that General Bell acted advisedly in placing and detaining these men in detention. Were the fact otherwise, it must be remembered that in time of war, in territory affected by hostilities, "suspicions" and "accusations" justify such action as was taken in the present instance.

George Curry, formerly a captain in the "Rough Riders" and now chief of police in Manila, in his letter to Mr. Fiske Warren, dated Manila, January 25, 1902 (Appendix A, pp. 1 and 2), says:

Juliano Lopez, the eldest brother, is accused by General Bell of having the possession of a large number of arms, which, from all the circumstances connected with the case, I believe to be a mistake, and so informed General Bell; but General Bell persists with me and appears to sincerely believe that Lopez is doing all he can to undermine the Government.

The sincere belief of General Bell as to matters and affairs in Batan is entitled to greater weight than an equally sincere belief to the contrary by the chief of police in Manila, because of the superior facilities possessed by General Bell for ascertaining "all the circumstances connected with the case." Reverse the situation of these gentlemen and the relative values of their several opinions would be reversed.

In addition to the superior facilities for forming an accurate opinion secured by General Bell, the fact appears in this application that at the arrest of the Lopez brothers, General Bell caused the arrest of several men who were foremen or farm superintendents on the Lopez estates, and thereupon the wife of one foreman brought in and surrendered three rifles.

Letter dated Manila, January 30, 1902, Juliana Lopez writes to her brother, Sixto Lopez, at Hongkong, as follows (Appendix A, p. 77):

On the other hand, the wife of the superintendent at Dao, whose husband was imprisoned, sought some way of liberating him, and, nobody knows how, got three guns with which to buy the freedom of her husband, and surrendered

Letter dated Manila, January 21, 1902, Juliana writes to Sixto Lopez at Hongkong (Appendix A, p. 70):

I believe that Bell was influenced, as Colonel Bullard was not, by a copy of a copy of Cipriano, which was captured from a Nationalist officer, and which showed that Cipriano had a well-organized battalion, which had 400 guns, and that he

had been raised to the rank of lieutenant-colonel because of the service which he had rendered, and because his family had lost \$600,000 in the insurrection of 1863. This biography General Malvar sent to Cipriano to flatter him, for it exaggerated his services, saying that Cipriano had so many guns and other things. Therefore, when he was rendered, although these guns were demanded of him, Bullard had to be satisfied with these explanations, that Malvar exaggerated, since this biography was published in Filipinas ante Europa.

The seizure of the property situated in Batangas province and captured by the Lopez family is justified by the reasons prompting the arrest and detention of the Lopez brothers. On January 9, 1902, General Bell, in reporting as to the operations of the expedition into the 1st district of Batangas, says:

The country was full of insurgents, and the mountain region was a vast store containing accumulated supplies of palay, cattle, hogs, carabaoes, chickens, and other food sufficient, according to Colonel Wint's estimate, to last 20,000 men for six months. (See report, Adjutant-General's Office.)

It was plainly the duty of General Bell to see that these supplies were not augmented or replaced from the products of the territory over which he exercised jurisdiction. To prevent it he was authorized to destroy such property as he anticipated might fall into the hands of the insurgents, either through the connivance of the owner or through the capture of it. Attention is directed to the fact that General Bell has not confiscated the property, but has simply locked up the building and placed a guard over them. The two vessels have been used by the United States in the service of the United States in promoting the military operations in which his troops are engaged. It is only necessary to recall the measures adopted by Sheridan in the Shenandoah Valley and Sherman in Georgia during the civil war as to food products subject to confiscation to see that General Bell has used his authority with moderation.

In the case entitled *Mrs. Alexander's Cotton* (2 Wall., 44, 45) the court says:

There can be no doubt, we think, that it was enemy's property. The occupation by the national military forces was too limited, too imperfect, too and too precarious to change the enemy relation created for the country and its inhabitants by three years of continuous rebellion, interrupted, at last, for a few weeks, but immediately renewed, and ever since maintained. The parish of Iberville, which included the cotton plantation of Mrs. Alexander, included also Fort Russy, constructed in part by labor from the plantation. The rebels reoccupied the fort as soon as it was evacuated by the Union troops and have since kept possession of it.

It is said that, though remaining in rebel territory, Mrs. Alexander has no personal sympathy with the rebel cause and that her property therefore cannot be regarded as enemy property; but this court can not inquire into the personal character and dispositions of individual inhabitants of enemy territory. We are governed by the principle of public law, so often announced from this bench, that in all cases applicable alike to civil and international wars, that all the people of each State or district in insurrection against the United States must be regarded as enemies until, by the action of the legislature and the executive or otherwise, that relation is thoroughly and permanently changed.

Being enemies' property the cotton was liable to capture and confiscation by the adverse party. It is true that this rule as to property on land has received many important qualifications from usage, from the reasonings of enlightened publicists, and from judicial decisions. It may now be regarded as substantially restricted to special cases dictated by the necessary operation of the war, and as excluding, in general, "the seizure of private property of pacific persons for the sake of the war." The commanding general may determine in what special cases its more strict application is required by military emergencies; while considerations of public policy and positive provisions of law and the general spirit of legislation must indicate the cases in which its application may be properly denied to the property of noncombatant enemies.

In the case before us, the capture seems to have been justified by the peculiar character of the property and by legislation. It is well known that cotton has constituted the chief reliance of the rebels for means to purchase the munitions of war in Europe. It is matter of history, that rather than permit it to come into the possession of the national troops, the rebel government has everywhere devoted it, however owned, to destruction. The value of that destroyed at New Orleans, just before its capture, has been estimated at \$80,000,000. It is in the record before us, that on this very plantation of Mrs. Alexander, one year's crop was destroyed in apprehension of an advance of the Union forces. The rebels regard it as one of their main sinews of war, and no principle of equity or just policy required, when the national occupation was itself precarious, that it should be spared from capture and allowed to remain, in case of the withdrawal of the Union troops, an element of strength to the rebellion.

In the application complaint is made that

They have arrested my brothers, and without any declaration or other process of law, and without granting them a court-martial, they have deported them, with many others, from the province of Batangas to the island of Talim. (P. 3.)

The applicant advances the proposition that General Bell is not authorized by the laws of war or military occupation to act in this summary manner, but is required to accord to accused persons a formal trial by either a court-civil or a court-martial. To my mind, the proposition is incorrect. The action of General Bell, when taken as commander of a belligerent force, or as military governor of territory subject to military occupation, was not in excess of his powers. We must not lose sight of what has been done. General Bell has placed these individuals under detention as a precautionary measure, because he "sincerely believes" their unrestricted liberty of action would interfere with the military purposes of the United States in that immediate locality. He has not imposed a penalty or inflicted punishment for an offense. He has not declared the property forfeited nor confiscated. As to the individuals and property, he has taken a precaution which it was not only his right, but his duty to take, if, as stated by Captain Curry, he "sincerely believes that Lopez is doing all he can to undermine the government."

It was impossible to accord these persons a trial before a civil court, for the inhabitants of the province had rejected the civil government, including the courts. It was equally impossible to accord them a trial before a court-martial, for those courts have a very limited jurisdiction, both in regard to persons and offenses. It would be a harsh rule which declared that all the inhabitants of hostile territory in time of war or territory subject to military occupation were incorporated into the Army or military establishment of the United States and thereby subjected to and liable to be proceeded against under the Rules and Articles of War.

During war in territory occupied or threatened by the enemy, it frequently happens that noncombatants commit crimes and military offenses which are not triable or punishable by courts-martial, and which are not within the jurisdiction of any existing civil court. Such cases, however, must be investigated and the offenders punished. The good of society and the safety of the Army imperiously demand this; and the duty devolves upon the military power. Ordinarily the service is performed by military commissions.

These military commissions are created and their powers conferred by the commanding officer. The authority resides in him and the commissions are his instruments for its exercise. He may exercise the authority himself, but as a measure of convenience to him and an

act of grace to the community it is usually exercised by commissions. In December, 1901, the forces under General Bell were divided into numerous detachments, attempting to cover a large area at one time, and were engaged day and night, practically, in conflicts with and pursuits of the insurgents. It was impracticable, if not impossible, for him to withdraw officers from the field and employ them in quasi-judicial proceedings. Military commissions are created for the trial of specific offenses wherein punishments or penalties are to be inflicted or imposed upon the guilty parties. But they are not organized to confer authority upon the commander of a belligerent force to adopt such precautionary measures as he determines the military situation requires. Judicial proceedings are no more necessary for the lawful detention of an individual in belligerent territory than condemnation proceedings are necessary to authorize the placing of property under guard.

In this connection attention is directed to the following order issued by direction of President Lincoln:

[May 19-20, 1863. Orders sending C. L. Vallandigham beyond military lines (cipher).]

UNITED STATES MILITARY TELEGRAPH,
May 19, 1863.

MAJOR-GENERAL BURNSIDE,
Commanding Department of Ohio.

SIR: The President directs that without delay you send C. L. Vallandigham under secure guard to the headquarters of General Roeocrans, to be put by him beyond our military lines; and in case of his return within our lines, he be arrested and kept in close custody for the term specified in his sentence.

By order of the President:

E. R. S. CASSBY,
Brigadier-General and Assistant Adjutant-General.

(State papers of Abraham Lincoln, Vol. II, p. 338.)

Also the following footnote on page 235, volume 4, Rhodes's History of the United States:

Through the kindness of Thornton K. Lothrop I have seen the originals of several orders for the arrest of persons and their commitment to Fort Warren or Fort Lafayette which were sent from the State and War departments at Washington to the United States authorities in Boston. The following are examples.

[Telegram.]

WASHINGTON, September 14, 1861.

UNITED STATES MARSHAL:

Arrest Leonard Sturtevant and send him to Fort Lafayette, N. Y., and deliver him into custody of Col. Martin Burke.

WM. H. SEWARD.

[Telegram.]

WAR DEPARTMENT,
Washington, October 19, 1861.

RICHARD H. DANA, Jr.,
United States District Attorney.

Send William Pierce to Fort Lafayette.

F. W. Seward.

[Telegram.]

WASHINGTON, September 2, 1861.

UNITED STATES MARSHAL:

John M. Watson is in Boston, No. 2 Oliver Place. He will to-day or to-morrow receive goods from Lawrence N. Y., probably nautical instruments, care of Winsor &

clothes and letters from St. Denis Hotel. Watch him, look out for the and letters, and seize them and arrest him when it is the right time. When don't let him see or communicate with anyone, but bring him immediately ngton. The letters and goods should be had by all means.

E. M. STANTON.

orders are printed in Marshall's American Bastile, and in O. R., series ii, 1.

true that President Lincoln was criticised for permitting the y arrest and incarceration in prison of citizens of loyal States, n unable to find that anyone ever criticised the arrest of inhabit- the several rebellious States during the time of active hostili- he locality where the arrests were made.

General Bell, in causing the Lopez brothers to be detained and perty placed under guard, was actuated by a sense of duty and ill will toward them or their family is shown by his generous idation of Mariano Lopez; his kindly treatment of the brothers detention; his refusal to confiscate the property of the family, tenting himself with preventing it from falling into the hands nemy; and the consideration and deference given to the sister untarily elected to remain in the house in Batangas after it was nder guard.

the brother, Mariano, General Bell, on January 16, 1902, wrote dix A, p. 7):

no reason to doubt the accuracy of any of the statements made herein by Lopez. I knew him well when I was provost-marshal-general of Manila, earless and truthful attitude he assumed in connection with a certain inci- ng that time caused me to feel considerable respect for him as a man of

For this reason and because he has remained in Manila and never mixed n the insurrection of the province of Batangas in a manner contrary to our I have taken no action against him except in so far as I have found it nec- take possession of the *Purissima Concepcion*, a house, and lot of palay in which e interested with his brothers. His personality, however, as well as his status is quite separate and distinct from that of his brothers.

ocument filed herein as Appendix A sets forth copies of what s to be a correspondence between Sixto Lopez and several s of his family. These letters show that at the time the broth- e arrested the mother and sisters labored under the misappre- that their brothers were harshly treated and required to do r labor, and that the sister who was in the house at Batangas e subject to affronts, if not assaults. The later letters of this ndence show that their fears were entirely groundless.

December 26, 1901, Juliana Lopez wrote to her sister, Clemen- ez, as follows (Appendix A, p. 28):

he present time, then, our brothers still remain prisoners in Batangas, and er is held like all the rest of the property, and what is more, we do not whom to apply to free either our brothers or the property. Everybody on we talk about this tells us to have more patience and to proceed with because it is the military system, and the measure is a general one. The hat I am in despair, because I can do nothing for them. Through a friend rned that they were well treated in Batangas, and that they are not made as in Iapa, where great and small all work except the stout brother of d and some others whom I do not remember, but all the rest work. The *Perpetua* is an American transport now, and serves the Government, but come to Manila, but only makes trips in the provinces. We have news, they have not changed the crew of the steamer, but they do not let them ally in Batangas

is that I could do nothing else but beg the favor from a friend, known only that he should go in the prison and at least find out how they are; and

night before last he came and told me that they were well and well treated. On account we ought not to be so unhappy, for there are others more unfortunate our brothers.

On January 21, 1902, Juliana Lopez wrote to her sister, Clemente Lopez, as follows (Appendix A, p. 60):

We are just as unhappy as we were when you left Hongkong, for our poor brothers are still prisoners, and what is worse, a week ago they were deported to the island of Talim. On the 31st of last month they were put into the hold of the *Leyte*, after two days they were transferred to the transport *Liscum*, where they were for two weeks, more or less, and were fairly well treated, since they did not put them in the hold as they did on the other steamer. They let us go to visit them and give them everything they need, and let us stay in company with them as long as we choose.

The first time that Charing and I went to visit our brothers we went with Captain Curry, who is as kind as ever, in the launch of the captain of the fort, who is a friend of Manuel's. When he knew I was his sister he offered us the launch and took us out in the bay to where the *Liscum* was anchored. We have been several times, sometimes accompanied by Carlos, and other times alone or with Mariano. My brothers told me they were better off on board the ship than in the prison of Batangas, for besides the fact that they were given nothing but rice and salt for weeks, they had to sleep on tiles and were given no beds, so that when we went to see Lorenzo he was very weak from having been sick with dysentery, and he would have died there if they had not taken him away. Fortunately for us the company of guards the prisoners on board are humane from the captain to the last soldier, so that they have no complaint to make from them. Besides, the captain and the lieutenant of this company are friends of Carlos, and our brothers go well recommended to their care by him. When we went out there they received us very well, especially the lieutenant, who has called on us here at the house, offering us everything in his power to lessen the sufferings of our brothers, and to give them everything that they need.

As you will understand, I was very glad, and you would have been, too, if you could know these gentlemen, who are the ones who go with them to the island of Talim. The only thing that troubles me is that in that wild place there is no house since it is a very small island, and they say they are to live in tents, but they are going to build houses for the prisoners. At present, while we have not decided to go to see them, since many of our friends have advised us not to go, we send things by the captain of a steamer which goes to that island three times a week and we have included a letter for some of the officers there, who, as I told you, have offered to help me.

In the same letter Juliana, with reference to the sister who remains in the house in Batangas, writes (Appendix A, p. 63):

Andrea has written me three letters, which I have received through some soldier who has come. She told me in her letter that they sent for her to leave the house so that the soldiers could occupy it. At first she did not want to go, but she understood she could do nothing against superior force; still, when she invoked the Constitution of America, they gave up to her our room and entresol, and there she is now living alone with Emilina, and God grant that they may keep well and not be insulted. I have written her several times to come here, but she replied that, in the first place, on account of her health, which suffers in the climate of Manila, she thinks best not to come, and also so as not to leave our poor people, who are all in the town, and other natives that no one else would look after. Your garden flowers are well looked after, according to Raymond.

On January 21, 1902, Juliana Lopez wrote to Sixto Lopez as follows (Appendix A, p. 71):

According to letters from Andrea, she is still in good health and complains of no discourtesy on the part of the Americans. For about a week, since the surrender of the Tagals, the reconcentrados outside the town have been allowed to come in the morning to work and to harvest the rice in the lowlands, which, as you will remember, is the best in this season; and also the grinding of the sugar has begun in Hinalas and Olonga, where there is a good deal of cane. I do not know whether this is true, as stated by an official who has just come from there. But Andrea tells me the same thing in her letters, and therefore I believe it to be a fact.

applicant and her family manifestly fail to consider that the of the United States authorities in the Philippine Islands is from necessity and not from choice; that said necessity results in the continued efforts of their friends and neighbors in Batangas to prevent the United States from exercising and enjoying of property and sovereignty lawfully acquired by the people of the United States; that said continued efforts to overthrow the sovereignty of the United States, and the rejection of the attempt to establish popular civil government in Batangas and elsewhere in the Philippine Islands, compel the people of the United States to call upon 40,000 of their sons and brothers to endure hardships, privations and dangers of such continuity and severity that comparison with makes the inconveniences and annoyances to which the brothers are subjected appear trivial. These 40,000 sons and brothers are not exempt from hard work, and consider themselves fortunate when conditions permit them to "live in tents."

They are not contending with a generous foe, who "does everything in his power to lessen the suffering of our brothers," nor are they so fond that their sisters and friends can "visit them and send them anything they need," or "stay in company with them as long as we like." There are thousands of mothers and sisters in the United States who have loved ones in the Philippines who would be thankful if they could say, as does Juliana Lopez:

"The only thing that troubles me is that in that wild place there is no house, since it is a very small island, and they say they are to live in tents, but they are going to make for them."

Attention is also directed to the statement made by Captain Curry in his letter of January 25, 1902 (Exhibit A, p. 1):

"I am satisfied that as soon as peace is established in Batangas, which now appears to be a question of a few weeks, as the insurgents are fast surrendering, that they will be liberated and their property restored to them."

In the application and in the correspondence submitted therewith there is made to a belief entertained by the Lopez family and their friends that the detention of said brothers was ordered because of the relationship to one Sixto Lopez, another brother of said family. Ever since the outbreak of the insurrection in the Philippine Islands, has been permitted without let or hindrance to freely pass and return to and from the United States, and as freely speak, write, and publish his views in respect of the action of the United States in maintaining its property and sovereign rights in that archipelago, with no known result than the acquirement of a limited notoriety and gratification of his self-esteem. No one has ever considered his detention in the United States, or the efforts in which he was here engaged, as in any degree jeopardizing the interests or plans of the United States.

The political complications in respect of the Philippines which have arisen in the United States and the obstacles encountered in the Philippines would have been the same had Sixto Lopez never existed. He remains an ordinary incident. His public utterances have been advantageous to the Administration rather than otherwise, for he possessed every attribute of an advocate excepting volubility and vehemence, and his presentations left the impression that he had a "poor opinion."

The consensus of opinion as to him has been that he actually

caused less trouble by remaining in the United States than he would occasion were he to arm himself and join the insurgents.

The war in the Philippines has been conducted without reprisals on the families of the insurgent leaders, and at all times during its continuance the relatives of many such leaders have remained within the lines of the military forces of the United States without being molested on account of that relationship. I am therefore quite convinced of the truth of the indorsement made "by command of Major-General Wheaton" that --

No action other than in the seizure of the *Purissima Concepcion* has been taken against Mariano Lopez. Any action taken against his brothers has been the result of their conduct alone. (Appendix, p. 6.)

It is probable that the view of Sixto Lopez, above expressed, would not be accepted by him or his family. They probably think his efforts have been advantageous to the insurrection and injurious to the United States. Doubtless this view prevails in Batangas, where his family is influential and his friends are numerous. If we accept their estimate of him, General Bell was justified in placing a guard over the property and in holding in detention the male members of his family: indeed, he might properly have put the women of the family under guard, for it plainly appears that the members of this family conducted a correspondence with Sixto Lopez of such kind and character that prudence dictated the adoption of measures calculated to prevent knowledge thereof from coming to the authorities.

On December 26, 1901, Juliana wrote to Clemencia, then on a visit to Sixto Lopez at Hongkong (Appendix, p. 29):

Arrange it so that when you come you bring absolutely nothing with you—nothing, for you will be under suspicion for the slightest cause.

When you write direct the letter to ———, so that it may not attract attention.

On the same date as the foregoing a letter was written to Sixto Lopez, then at Hongkong, by some one whose name is suppressed by this applicant. Therein the writer said (Appendix, p. 32):

I beg you to work in America, but I hope you will do so with great prudence, so that you shall not in any way make worse the situation of your unfortunate and destitute brothers and sisters here.

For the same reason, do not write to them, except by sure and certain messenger.

On January 8, 1902, Mariano writes to Sixto (Appendix, p. 50):

Take care in writing to us, now that you know how closely watched we are.

On January 14, 1902, Juliana writes to Sixto (Appendix, pp. 54, 55):

I still have your letter to Señor ——— ———, not knowing by whom to send it for some friends with whom I consulted advised me to proceed with much care, since they fear that this gentleman may do me harm, knowing, as they do, that he thinks only of counting his money. I am sorry from my heart that I can not once do as you ask, but you must know that our Philippine friends, the majority of them, avoid us since the arrest of our brothers and seizure of our goods, which has frightened them to the last degree, so much so that they have entirely ceased to come to the house. To please you, and still more for the sake of our poor country, I thought for a moment of taking it in person, and said so to mother, but she was so troubled for fear of what might happen to me that she made me give up my plan, and since then I have decided that indeed it ought not to go to him through my hands lest it make the situation of our brothers worse.

Indeed, no one wishes to compromise himself by taking this letter to the gentleman who, according to many who know him intimately, knows no other happiness than to possess much money and they do not believe that he would spend thousands so that he might be persecuted for his country. Without doubt there will be a way. Would it not be better that you should write to him by post?

ay he could not, even if he wished, point out the person from whom he
d it; for I imagine that through fear he might give your letter to the Ameri-
Even if he is very miserly, because he has spoken well of you I hope that
have confidence in you and believe you.

January 17, 1902, Juliana writes to Sixto (Appendix, p. 59):

* does not wish that I should send you letters any more through him, so
shall always address you in the way you know, and my address is ———.

January 21, 1902, Juliana writes to Sixto (Appendix, p. 69):

should know that we direct everything that we write to Mr. ——— ———, so
in turn may give them to Mr. ——— ———, since ——— told me that I
send it to you in that way, and that you had agreed to it, so you can ask
about them, and if they have not gone astray, he will give you at least six of
ers.

January 30, 1902, Juliana writes to Sixto (Appendix, p. 76):

ave finally found a friend by whom to send you this letter, for I am afraid
ve not received my previous ones and that they are really lost, for some of
sters I sent you under the name of ——— in the house of ———, and the last
——— to give to Clemen and Mariquita, and you would understand that
ere mine to you, as it would be absurd to suppose that they were for those to
they were addressed.

I have your letter to ———. What shall I do with it? Tell me also whether
send it by post. Now I can find no one who is willing to take the responsi-
f delivering it.

January 30, 1902, Maria writes to Sixto (Appendix, p. 79):

last one we wrote you was directed to Don ——— ——— to give to the Seño-
emencia and Maria, and I don't know whether he has given them to you.
urred to us because we did not know any more to whom to direct them so
a might receive them promptly. We directed the others to the house of Don
———, with the name of ———.

re accept the estimate of Sixto Lopez entertained by himself and
mily, the placing of a guard over the family property is com-
y justified, for the papers filed herein show that said property fur-
l him the means of continuing his efforts in behalf of the insur-
n.

January 22, 1902, Maria writes to Sixto (Appendix, p. 72):

re much troubled at your saying you have received no letters from us since I
re (Hongkong), for Ninay has written to you at least five or six times since I
here, inclosing you \$200.

on learning that the property of the family had been placed under
. Sixto wrote to his brother, Mariano (Appendix, p. 38):

unately, if I can obtain no help from my family, I shall still be able to carry
work, for every injustice inflicted on us will only bring more aid and sympa-
our people.

n after the capture of Aguinaldo a report was published that Sixto
was about to repair to the Philippines and assume the position
before occupied by Aguinaldo. As already stated, the province
tanguas had become a rendezvous for a number of "irreconcil-
" from adjacent pacified provinces, and had Sixto Lopez gone
the influence of his family, their available means, and the
iety he had acquired would have given him prestige among the
gents; and had he demonstrated or developed ability for guerrilla
re he might have added to the difficulties of the situation. It is,
rse, possible that General Bell heard the rumor of such intention
eemed it advisable to confer on Sixto a realizing sense of the fact
ctive opposition to the military plans and purposes of the United

States in the Philippine Islands was attended by a hazard from which political discussion in the States of this Union is exempt. General Bell's conduct of affairs in Batangas, including the order under consideration, had sufficient effect upon Sixto Lopez "to give him pause" and induced him to abandon his proposed return to the Philippines, an intention which the correspondence set forth in the appendix herein shows he at one time entertained.

I am unable to discover, either in the papers filed with this application or in the records of the War Department, any evidence that General Bell, in ordering the action complained of, took thought of its possible effect on Sixto Lopez. Whatever effect the execution of the order had upon Sixto Lopez was incidental and inconsequential. The situation in Batangas province afforded ample occupation for all of General Bell's time and thought.

Occupied as he was by constant engagements with active and present adversaries, it is extremely unlikely that General Bell sought occasion to engage in long-range warfare with an individual who persisted in keeping a large segment of the earth's circumference between himself and actual hostilities.

General Bell's reports on the situation in Batangas show that he is of opinion that by reason of the presence of the forces of the United States in that province it is likely that the inhabitants would negotiate with a peace commission and accept a civil government, but that such acceptance would be only a temporary expedient and the only way to secure a permanent peace in Batangas is to give the inhabitants a realizing sense of the hardships of war. It is not to be presumed that General Bell in issuing the order under consideration attempted to coerce Sixto Lopez to perform a service which in the judgment of General Bell would be to the disadvantage of the United States.

In a letter to General Wheaton, dated December 27, 1901, General Bell writes (files Adjutant-General's Office, War Department):

The insurgent army in this province was made of town contingents, each town being supplied with so many guns and being required to maintain so many soldiers. All the guns except about a dozen formerly pertaining to the town of Bauan have already been captured by Captain Hartman, mainly through the efforts of the townspeople themselves. This was the first town on which Captain Boughton laid his heavy hand as brigade provost-marshal and provost court. We expect to have every town in these provinces in the same attitude shortly. As for peace commissioners, if Sixto Lopez, or any other man of equal influence, could be trusted to work honestly and sincerely there is no doubt but what he could bring about peace, for, with few exceptions, it can now be truthfully said that everybody wants peace, even the insurgents. Malvar, and a few irreconcilables like himself, may not be ready to quit, but insurgent soldiers are coming in every day, claiming to have been seized involuntarily and to have escaped from their leaders.

They come in, notwithstanding that they know they will go into the cage. Despite these conditions, however, it is doubtful if any peace commission, like Aguinaldo down, could secure a thorough surrender of all the guns. The breaking away at the last minute of disaffected parties would occur as it did in the Cailan surrender or all the best guns would be buried or concealed. Such results following peace brought about by peace commissioners prior to the suffering by these people of the real hardships of war would almost certainly be followed by another insurrection within the next five years. These people need a thrashing to teach them some common sense and they should have it for the good of all concerned. Sixto Lopez is now interested in peace because I have in jail all the male members of his family found in my jurisdiction and have seized his houses and palay and his estate the *Purissima Concepcion* for use of the Government.

The course pursued by the inhabitants of Batangas during 1901 amply justifies the opinion of General Bell. On March 11, 1901.

Clemencia at Manila wrote to Sixto, then in America, as follows (Appendix, p. 88):

Nothing has been heard from Aguinaldo of Malbar, but most of the Batangas province will soon surrender, including Cipriano, because they believe that further resistance is impossible at present. They are short of every necessary, and for the sake of Cipriano I am glad, because he is always ill with fever and gastritis.

This lady was manifestly well advised as to the intentions of the insurgent leaders in March, 1901, for soon thereafter the forces in Batangas under Cipriano surrendered, and it turned out that such surrender was only a means of avoiding hostilities until supplies of necessities could be secured, when the situation became such that the civil government could not cope therewith and the civil government was withdrawn; and the situation in Batangas province on March 15, 1902, the date of the application herein, is stated in that document to be:

Balayan is the only permanently pacified town in the province of Batangas. (See application, p. 1.)

I have extended this discussion, possibly unduly, in order to demonstrate that General Bell has exercised in proper manner an undoubted well-received right of a belligerent commander. This seems to have been recognized by the Lopez family and their friends in Manila.

On December 26, 1901, Juliana wrote to Clemencia (Appendix, p. 28):

Everybody with whom we talk about this tells us to have more patience and to proceed with calmness, because it is the military system, and the measure is a general one.

In an unsigned letter to Sixto it is stated (Appendix, pp. 31-32):

The Government is firm in its decision that until Malvar surrenders there shall be no change, and when protest is made * * * it is replied that these are measures of war, and that even in America these same measures were taken during the civil war.

Sixto Lopez, however, insists that a belligerent commander is without authority to punish or even prevent any and every effort to cause the miscarriage of the military operations of the United States, excepting the acts of those persons who are encountered or captured with arms in their hands, and insists that a person who asserts that he is a "noncombatant" is by such assertion placed outside the jurisdiction of the military authority. (Letter of Sixto to Mariano, Appendix, p. 7.) The guaranties of personal and property rights provided by the laws of all civilized governments are intended for those who live "within the peace of the State" and not for those who openly and defiantly deny the authority of the State and secretly plot and labor for its overthrow.

In the letter above referred to Sixto Lopez takes the position that his brothers under detention are "neutral noncombatants." This raises the question, Who is to determine that fact in Batangas province? Is it General Bell or Sixto Lopez? If the authority is possessed by General Bell, and has been exercised pursuant to lawful procedure, his determination must prevail until a showing has been made to the superior authority which establishes the incorrectness of the decision. If no such showing is made herein. If the inhabitants of Batangas province would permit the maintenance therein of a civil government, the questions involved in cases of this character could and would be determined by the civil courts; but so long as the inhabitants elect

to subject the province and themselves to the hazards of war, they must of necessity be subjected to the rules and procedure of military justice.

Your direction to report "recommendations" herein requires a discussion of matters embraced in the term "administrative policy."

The approval or disapproval of the action taken by General Bell turns on the question of the necessity for such action under the conditions existing in Batangas Province in December, 1901. It appears herein that application has been made to Major-General Wheaton, the immediate superior of Brigadier-General Bell, and to Major-General Chaffee, in command of the Division of the Philippines, to revoke said order, both of whom refused to interfere with said action. Manifestly, in the judgment of these three military officers, the military necessity existed at the time the action was taken, and their determination must be considered conclusive.

Whether the necessity continues to exist at this time is also a military question and depends entirely upon the conduct and intentions of the inhabitants of Batangas Province. There is no lack of desire on the part of the authorities of the United States in Washington or elsewhere that Batangas Province should receive and enjoy the benefits of peace and order promoted by popular civil government. The obstacles thereto are created by the people of the province, and in their hands is the remedy. Abandon the war, accept the civil government, and the way is plain. Continue the war, refuse civil government, and applications of this kind made to Washington are as unwarranted as would be a demand for relief from disease or pestilence resulting from refusals to obey the laws of health or the rules of sanitation.

The idea of sending Clemencia to Washington to present this application in person originated with Sixto Lopez. His sister was at the time visiting in Hongkong. Knowledge of his intention was not communicated to the family until she had started on her journey. In what purports to be a copy of a letter from Sixto to Mariano appears the following (Appendix, p. 39):

You will, ere this, have received my letter telling of Clemencia's departure for America, and the reasons which moved us all to adopt that course. Your and Juliana's letters only serve to confirm me in the belief that we have adopted the proper course.

The letter referred to in the foregoing communication is not set forth in the papers filed herein. This omission is regretted, for it would be interesting, if not instructive, to learn the reasons which were given to the other members of the family and also who were included to make use of the plural necessary. In the absence of explanation it is reasonable to suppose that "us all" means the Hongkong Junta, and that the reasons not theretofore known to the family were the hopes that the influence of Sixto's friends and encouragers in the United States, aided by his threat, set out in his letter appearing at pages 37 and 39 of the Appendix: "Although under other circumstances I should counsel surrender by Malvar and his forces, I cannot urge him to surrender in response to such methods of warfare," together with the sympathy Americans naturally feel for a woman in distress, whatever the cause, would induce (to use no stronger words) the supreme military authority in Washington to reverse the action of the military authorities in the Philippines, and thereby demonstrate to the inhabitants of Batangas that the protection of Sixto Lopez

immunity for acts adjudged by the military authorities in the States. Were such belief to prevail in Batangas the results would be otherwise than deplorable.

Before report:

That under the conditions existing in Batangas Province in March, 1901, Brigadier-General Bell, in the instance under consideration, exercised a lawful authority in a lawful manner.

That the showing made by the papers filed herein is not sufficient to remove the presumption that the action taken by the authorities in Batangas was warranted by the facts and the necessities of the military situation.

Before recommend:

His application be denied and the applicants be advised that the President is confident that the persons now held in detention and the property of the family now under guard will be released as soon as conditions in Batangas Province will warrant.

Respectfully submitted.

CHARLES E. MAGOON,

Law Officer, Division of Insular Affairs.

SECRETARY OF WAR.

BOSTON, MASS., *Saturday, March 15, 1902.*

PRESIDENT:

Encencia Lopez, have come from the Philippine Islands, and myself to you with the greatest respect, to beg you to hear my petition:

Two of my brothers, Lorenzo, Cipriano, and Manuel Lopez, are now in the island of Talim, all the property of my family has been seized, and we are almost destitute. Against two of my brothers no definite charge, nor have any of them been allowed even a fair trial. My other brother, Cipriano, is accused, without evidence of having concealed 50 guns when he surrendered with his arms in March, 1901. Moreover, four of the superintendents of our province have been arrested and have been inhumanly punished to make them give up these supposed guns. My family has always been friendly with the American officials, my oldest brother, Mariano, has rendered them valuable service in pacifying several provinces, and the town of Balayan is the only permanently pacified town in the province of Batangas. The authorities in the Philippines have refused my petition, and therefore, because of such great injustice, I have come to you, Mr. President, to beg of you to give us justice.

PRESIDENT:

Encencia Lopez, a native of Balayan in the province of Batangas, have come before you with the greatest consideration and praying that you will deign to hear me with kindness and do justice to my family who are in great distress and suffering under their misfortunes.

Months ago I left my country, the Philippines, to come to America, alone, exposed to all the perils that might befall me, because

on the 13th of December of the last year (1901), my three brothers, Lorenzo, Cipriano, and Manuel Lopez, were arrested by or General Bell, commander in chief of the American forces in Batangas. The only charge against them was a false denunciation by an member of our family to the effect that Cipriano, when he surrendered in the March of last year with all his men and guns, had failed to surrender fifty rifles; and this accusation was not accompanied by the least shadow of the truth. Since his surrender, Balayan has continued to be quiet and up to the present time there has not occurred a single instance of a combat or a skirmish, either in the town itself or in its environs. I am a statement that the commanding officers of that town, both present and past, can confirm.

In spite of all this, however, they have arrested my brothers without any declaration or other process of law, and without giving them a court-martial, they have deported them, with many others, from the province of Batangas to the island of Talim. Against these they had only suspicions and unproved accusations that they were contributing to the continuation of the war; and the fact that General Malvar is not yet willing to surrender. My brothers and these other prisoners, of whom the majority are persons of education, culture, and good breeding, are not treated as befits their position since, with the exception of my brothers and one or two others, they were all obliged to work in the streets of Batangas at forced labor as if they were criminals, and all of them were given only rice as food to eat, and were obliged to sleep upon the stone floor without blankets.

General Bell has told Mr. Curry, the chief of police, who has my brothers and has interested himself in obtaining their liberation, as he is convinced of their innocence, that he could not set them at liberty because Cipriano still had fifty guns, and that it seemed to him best to hold the other two also, although there was no accusation against them, until Malvar surrendered, and because they were brothers of Sixto Lopez, an enemy of the Government of the United States.

It is necessary that you should know, Mr. President, that this brother (Sixto) has been living in Europe for nine years and lately in America. In October of last year he wished to return to the Philippines, but as he refused to take the oath of allegiance which is required of all who come from abroad, and therefore stayed in Hongkong, it is perfectly proper for this reason that they are punishing my brothers, without having any other complaint against them; nor does the Government or the American authorities consider the valuable services which my brother, Mariano Lopez, has rendered; who last year worked so hard for the pacification of all the country, and contributed very largely to the surrender of General Trias in Cavite, General Cailles in Laguna, Colonels Catigbae and Calao in Lipa, and of my brother, Colonel Cipriano Lopez, who surrendered with all his officers, troops, and some guns. It was my brother Mariano who pacified many of the towns in Batangas, though he has not been able to bring about the surrender of General Malvar. Governor Taft, who knows my brother, can corroborate this also Captain Bullard, who was colonel of the Thirty-ninth Volunteer Infantry, and Captain Gale, of the Fourth Cavalry, Regular Army.

Therefore the Philippine authorities, because of my brother's services, who, although ardently desiring the independence of his country, was not in favor of the war, have disregarded the services of my brother Mariano, and have not even ascertained whether my imprisoned brothers are guilty, for they have neither proof nor evidence and have

ly to the false accusations of an enemy of our family who to revenge himself in this infamous way because, on account of the influence of my brothers, he failed to be elected president of the town.

He was assisted by Captain Cheever, of the Sixth Cavalry, who was his friend and candidate he was.

The authorities in Manila were fully informed of this matter, and although General Chaffee has refused to receive and hear my sisters, I have asked only justice for my family, for General Bell has seized our goods and property, our steamer and vessel, taking from us our land title deeds, our subsistence, and even our house, ordering my sisters to leave the house in order that the troops might be accommodated, although there were plenty of other houses in the town in which they were already established.

These oppressions which my family have suffered are perhaps more painful to them than to other families who have suffered in the same way, because, in the first place, my brothers are innocent; secondly, my family had most friendly relations with the American officers who have been stationed in Balayan, as we can prove; they were all friends of my family, and my house was very much frequented by them. The only exception was Captain Cheever, who, when he visited my house at first, let himself be influenced by the influence with which he was plied by his friend and protégé, our enemy, Manuel Ramirez.

What goes on in the Philippines, nothing surprises me more than the conduct of evil life and conduct, who have no sense of honor, and who are really robbers and were previously so by profession—they are the ones who now have the protection of the authorities through their assistance, but not with the result of pacifying the people, but, on the contrary, of influencing the minds of the people in the wrong way; for what they do is to revenge themselves on their enemies, the upright people who formerly were naturally the victims of whom they were punished. One of these is Manuel Ramirez, who has always been a slanderer and mischief-maker, endeavoring to create dissension and feeling among many families of the town.

I wish also to inform you that in March of last year my brother was previously arrested because the manager of the cattle ranch which our family owns in the town of Abra de Ilog (Mindoro) claimed that these cows were stolen by our manager from the cattle ranch which they were from the same province of Mindoro.

The friars had no proof that the cows were theirs, for they bore our marks. For three weeks Manuel was a prisoner and the cows were in the hands of one of the friars' agents, during which time my brother, Mariano, did not cease working, begging them to do him justice.

It was this General Bell, who was then provost-general, much exacting, who threatened my brother Mariano and his lawyer, saying that if they did not go to investigate in person, and that if what Mariano claimed was true, the case he and his lawyer should be imprisoned. He and the other officers went at once to see the cows and ascertained the facts; and they had been convinced that the cows actually bore no other marks than that of our family, all that General Bell did was to return the cows, but he did not set Manuel at liberty, saying that he was detained for political reasons also and because he maintained the peace.

And if this general had not been removed from the post of provost-general, Manuel would not have been freed.

The friars are very ancient enemies of our family, since the time of the Spanish Government, and they also desired to ruin us because they envied us, for their cattle ranch was then in the hands of the insurgents.

Also on the 21st of October, 1901, the superintendent of our ranch in Abra de Ilog (Mindoro) was imprisoned, accused in the same way by the friars of having stolen their cattle, and I believe it was the same robbery of which my brother Manuel was accused in Marikina. The superintendent was thus imprisoned in spite of the fact that when the American troops entered the island he, with the herdsmen and the rest of our people, immediately presented themselves to the detachment to take the oath of allegiance, and at the same time allowed the American officials to examine our cattle and ascertain that there were no cattle other than ours. In spite of all this, however, the superintendent was imprisoned for thirty-five days at hard labor.

Therefore I beg you, Mr. President, to hear me and to have compassion upon me and my family, remembering the great sacrifice which I have made in abandoning my native land and coming to such a distant country to implore and demand justice, which I had expected to find in you, having, unfortunately, failed to find it in the Philippines.

I have said that all our goods and interests were seized, including the steamer whose earnings were the only support of all my family for since the war of 1896 our interests have suffered great loss. Commerce has been paralyzed and our business ruined, so that we have remained to us but the steamer, a sailing vessel, and the cattle which we own in the island of Mindoro; but we can not even use these animals from there to use in the cultivation of the land in Balayan, for those ports have been closed for some time.

I also desire to make known to you, Mr. President, that besides the imprisonment of my three brothers they have also imprisoned five of the superintendents of our estates, supposing them to be the guardians of the imaginary guns which my brother Cipriano did surrender; and on this account they beat them cruelly and torture them in other ways to induce them to surrender the guns. As I did not have them to surrender, what tortures they must have suffered for one of them died from the effects of the blows which the soldiers gave him.

Moreover, with the reconcentration which is taking place in all the towns, burning the houses of the peaceful people, hunger and misery will reign once more as it did in the times of the Spanish Government in the year 1897-98.

Therefore I pray you, Mr. President, to interest yourself in the unhappy islands and have a compassion upon our people, for with the measures which the military have been employing for some time it will be impossible that the war should really end, for although I believe that by these barbarous measures they will produce peace, peace will only be apparent, for hatred toward the Government of the United States and toward Americans in general will be left in the hearts of the Filipinos.

Therefore, trusting in your kindness and sense of justice, I beg that you will give my brothers and our superintendents who are equally innocent their liberty, and will return to us our property.

Very respectfully,

CLEMENCIA LOPEZ

Louis D. Brandeis, of Boston, Mass., counselor at law, with a co-assisting Señorita Clemencia Lopez in presenting her petition to the President of the United States, examined the available evidence leading to the arrest of her brothers, Manuel, Lorenzo, and Cipriano, and herewith make the following statement as the result of such examination and my conclusions therefrom:

The Lopez family has for two generations been among the prominent and wealthy families of the province of Batangas.

The family consists now of Maria Castelo, the widow of Natalio Lopez, who died in 1884, and his 6 sons, 4 daughters, and grandchildren. The sons are: Mariana, aged 42; Lorenzo, aged 40; Sixto, aged 36; Cipriano, aged 29; Manuel, aged 24; Jose, aged 20. The daughters are: Andrea, aged 32; Clemencia, aged 26; Juliana, aged 22; and a younger daughter, aged 17.

The family property consists largely of estates in Batangas and Manila, in connection with which mainly they have operated the steamer *Purissima Concepcion* and the sailing vessel *Oretano*. The family has a home on its estate in Balayan, in the province of Batangas, and also at Manila. The property has been held by the family ever since the father's death.

Five of the sons are engaged in business except Sixto and Jose. Sixto has not been in the Philippines since 1892. He was in the United States in 1898, 1899, and for about ten months in 1900 and 1901. Jose is a student of engineering at Newcastle-on-Tyne, Eng-

land. On December 12, 1901, while Manuel Lopez was on board and in command of their steamer, *Purissima Concepcion*, at Boac, in the province of Marinduque (which was then under civil government), a United States officer in command of 25 soldiers applied to him to be taken to Batangas, saying he had received orders from General Bell to that effect.

Manuel Lopez, believing this request to be a hiring of the vessel by the Government, assented and proceeded with the troops to Batangas (which was under military government). But for this understanding that the steamer was so hired Manuel would not have taken the vessel to Batangas, as the ports had been closed some days before. Upon arrival at Batangas Manuel was arrested and Captain Cole, the commander at Balayan, seized the steamer and directed her to proceed to Manila.

When the vessel reached Balayan on December 13, 1901, Lorenzo and Cipriano also were arrested and the Lopez mansion was searched by the troops. Papers (including the title deeds), the rice stores, the sailing vessel *Oretano*, and other property were seized and since remained in the possession of our troops.

Manuel, Lorenzo, and Cipriano Lopez were kept in jail at Batangas for three weeks under circumstances involving some hardship; were then carried to the bay of Manila and kept there in the transport *Liscum* until January 14, 1902, and were thereupon taken to the island of Talim, near Iloilo Bay, where they are still confined.

The arrest and seizure were made without the service of any warrant or the preferring of any charges against any of the brothers. Neither Manuel, Lorenzo, nor Cipriano have since been brought to trial.

There has been no preliminary examination, nor has there yet been any formal charge preferred against any of them.

Inquiries made of the United States authorities by their brother Mariano, and their sisters disclose the following:

First. It is claimed that when Cipriano, who had been a colonel in the insurgent army, surrendered on March 11, 1901, and delivered 200 rifles, he withheld 50 rifles, which remain concealed.

Second. No claim of any act of disloyalty is made against Manuel or Lorenzo. It seems that Manuel and Lorenzo are so because it is believed that pressure may thereby be put upon Cipriano and also because Sixto is unwilling to take the oath of allegiance to the law enacted October 15, 1901, without taking which he will not be allowed to return to the islands.

The evidence tends to prove that the charge that Cipriano, in surrendering, withheld fifty, or any, rifles, is entirely unfounded.

In support of this opinion I annex hereto the following:

(1) A copy of a letter of Capt. George Curry, superintendent of police at Manila, to Fiske Warren, esq., dated January 25, 1902, marked "A."

(2) A statement (translated), marked "B," of Mariano Lopez, whose integrity and truthfulness our officers have certified and who has been of great service to our Government, as appears by the following papers annexed, namely: Memorandum, marked "C," of A. L. Parmenter, February 25, 1901; marked "D," of Maj. Bullard, July 5, 1901; marked "E," of Lieutenant Reeve, April 1901; marked "F," of General Bell, January 16, 1902; marked "G," of General Wheaton, January 22, 1902.

The evidence tends to prove that the charges against the Lopez brothers were instigated by Manuel Ramirez, an unscrupulous person who succeeded by assertions of loyalty in getting appointed by the United States authorities president of Balayan in March, 1901, was thereafter defeated September 29, 1901, at the civil election there, by the candidate supported by the Lopez family. The charges of Ramirez appear to have been made for the purpose of having the election set aside. In support of this opinion I annex the following papers:

(1) A copy (translated) of Ramirez's letter dated October 1, 1901, to the committee in Batangas.

(2) A statement in translation, marked "H," of Mariano Lopez to the previous record of Ramirez.

The strongest evidence herein of the innocence of Manuel, Lorenzo and Cipriano is to be found in the voluminous correspondence between them and the other members of the family, which was obviously spontaneous and designed to be private. It is more convincing than the most direct testimony could be.

A copy of this correspondence (all but one in translation) is annexed, marked "J."

EXHIBIT A.

DEPARTMENT OF POLICE, CENTRAL OFFICE.

Manila, P. I., January 25, 1902

Mr. FISKE WARREN,
Boston, Mass.

MY DEAR SIR: Yours of recent date at hand and contents and in reply, will say that the three Lopez brothers are still under arrest.

They are confined, together with a large number of other military prisoners, on an island in the Laguna de Bay. I, of course, do not know just what the military have against the Lopez brothers who live in Batangas, but Manuel Lopez, who lives in Manila with Mariano, I am satisfied has done nothing disloyal, and I am very fond of Mariano Lopez and his family. I have done what I could to secure the release of their brothers, and I feel satisfied that as soon as peace is established in Batangas, which now appears to be a question of a few weeks, as the insurgents are fast surrendering, they will be liberated and their property restored to them. These harsh measures were believed by General Bell to be necessary; and whereas I differ with him as to the guilt of the Lopez brothers, they are undoubtedly suffering largely on account of their brother, Sixto Lopez. As you realize the situation yourself very fully, you can understand.

The Lopez girls have been up to see me frequently, and I have treated them with the utmost courtesy, as I really feel very much attached to them. They, like other Filipino families that I have gotten very well acquainted with, improve on acquaintance. They are very loyal to their friends and I have only regretted that I could do so little to assist them. But as I stated before, I feel satisfied from what General Wheaton tells me that these parties will all soon be released.

Cipriano Lopez, the eldest brother, is accused by General Bell of having knowledge of a large number of arms, which from all the circumstances connected with the case, I believe to be a mistake and so informed General Bell; but General Bell differs with me and appears to sincerely believe that Lopez is doing all he can to undermine the government. Conditions in Manila are steadily improving. My native police are all being taught English and are learning very fast. The city limits have been extended to take in some of the smaller towns, and I am now organizing police in those places, but anticipate very little trouble.

In fact, all the trouble in Manila is in the part of the city where the saloons flourish and the American element live, as the natives who live in the barrios give very little trouble and are easy to control. I feel confident that Governor Taft will present matters in such a way at Washington that will secure some necessary legislation and a permanent peace for these people, whom I really like, and would like to do something to better their condition and would be pleased to hear from you at any time. I sincerely hope that if you visit Washington that you will consult with Governor Taft, who, I know, if you meet once and talk with him that you will be convinced of his sincerity and kind feeling toward the Filipino people.

With kindest regards, I remain, yours, very truly,

GEORGE CURRY.

EXHIBIT B.

LETTER OF MARIANO TO SIXTO LOPEZ.

JANUARY 8, 1902

Dear Cipriano surrendered with all his forces, trusting in the honor of the American representatives in the Philippines. He has given absolutely no cause for suspicion. Balayan was absolutely peacefully, and submissive to the Government of the United States after

his surrender. He was chosen electoral judge in the municipal elections of the 20th of last September and named counselor by popular vote, defeating Ramirez.

Do you suppose this adversary of ours would have kept silent if there had been any fault which would have disqualified him for these positions?

EXHIBIT C.

HEADQUARTERS DEPARTMENT OF SOUTHERN LUZON,
Manila, P. I., February 25, 1901.

To whom it may concern:

Mr. Mariano Lopez has permission to organize committees of the Federal party and to hold assemblages for so doing, so long as he violates no military regulations or municipal ordinances, in the towns of Balayan and Calaca, Batangas, P. I.

By command of Major-General Bates.

A. L. PARMENTER,
*Captain, Twenty-first United States Infantry,
 In Charge of Civil Affairs.*

EXHIBIT D.

MANILA, *July 5, 1901.*

I take pleasure in certifying that the bearer of this paper, Señor Mariano Lopez, of this city and of Balayan, Batangas province, has rendered service to the United States in the pacification of Luzon as follows:

In March of 1901 he accompanied me at his own expense into the country west of Lake Taal, and there through the influence of himself and family he opened negotiations with all the insurgents of Batangas west of Lake Taal, which negotiations resulted in their surrender and the pacification of all Batangas west of Lake Taal, and cut off from the insurgent General Trias in Cavite Province all his military support from the south.

At my request he afterwards visited Lipa in the province of Batangas, with a view to opening negotiations with the insurgent General Malvar. From these latter negotiations there resulted, as I believe, the surrender of insurgent Gen. Gregorio Katigbak and Col. Cipriano Calao, Señor Lopez's personal friends, and some 125 officers and enlisted insurgents. He also offered his services and did all in his power to induce the surrender of the insurgent General Cailles, who did surrender.

I have found him a man of judgment and honor in all his dealing with the United States.

R. L. BULLARD,
Major, Commissary, United States Army, Chief Commissary.

EXHIBIT E.

HEADQUARTERS DEPARTMENT OF SOUTHERN LUZON,
Manila, P. I., April 2, 1901.

To all whom it may concern:

Señor Mariano Lopez having been delegated by General Mariano Trias to proceed to the province of Batangas for the purpose of con-

dealing with the insurgents now in the field, with a view to advising them to surrender, the department commander has given Señor Trias authority to carry out the instructions of General Trias, and if necessary his labors will be facilitated by the garrisons in the provinces of Batangas and Cavite.

Very respectfully,

HORACE M. REEVE,
First Lieutenant, Third Infantry, Aid-de-Camp.

EXHIBIT F.

HEADQUARTERS THIRD SEPARATE BRIGADE,
DEPARTMENT OF NORTH PHILIPPINES.
Batangas, P. I., January 16, 1902.

Respectfully returned to the adjutant-general, Department of North Philippines, Manila, P. I.

I have no reason to doubt the accuracy of any of the statements within by Mariano Lopez. I knew him well when I was provost-marshal-general of Manila, and the fearless and truthful attitude he showed in connection with a certain incident during that time caused me to feel considerable respect for him as a man of integrity. For that reason and because he has remained in Manila and never mixed himself in the insurrection in the province of Batangas in a manner contrary to our interest, I have taken no action against him except in so far as I have found it necessary to take possession of the *Purissima Concepcion*, a house, and lot of palay in which he may be interested with his brothers. His personality, however, as well as his political views is quite separate and distinct from that of his brothers.

J. F. BELL.

EXHIBIT G.

HEADQUARTERS DEPARTMENT OF NORTH PHILIPPINES,
Manila, P. I., January 22, 1902.

Respectfully returned to Señor Mariano Lopez, 219 Dulumbayan Cruz, Manila, inviting attention to the indorsement of Brig. Gen. J. F. Bell, United States Army, commanding general, Third Separate Brigade. The department concurs in General Bell's opinion expressed in his indorsement. No action other than in the seizure of the *Purissima Concepcion* has been taken against Mariano Lopez. Any action taken against his brothers has been the result of their conduct alone. By command of Major-General Wheaton:

LEWIS H. BASH, *Aid-de-Camp.*

EXHIBIT H.

LETTER OF MARIANO TO SIXTO LOPEZ.

JANUARY 8, 1902.

Our three brothers with Felix Unzon are at Bahia, in the transport *San Juan*, to be deported, although we do not yet know where. A military commission has been to inspect the island of Talim, La Laguna,

and some people think that perhaps it will be that island. I was to talk with them, and they tell me that they have been embarrassed without any formal writ or notification as to the reasons, and if I know anything about it it is because a messenger from the officers who keeps the record of the prisoners has told them that in these reports there is no accusation against our brothers except that of being suspected of maintaining the insurrection, and he has offered to endeavor to liberate them, saying that for a small sum of money he could accomplish it.

Our brothers refused this offer because of their self-respect and innocence. Several obtained liberty in Batangas in this way, and I know of Mariano Ramos, the son of Juan Ramos, that he was freed through the influence of the present favorite of the Americans, Manuel Ramirez. I will tell you about him, in case you do not remember the past; I will put it down for you now. You know that Ramirez started as office boy and clerk of the deceased Don Manuel Araulio. When he died, he continued in the employ of his son, Don Augustin, who, also deceased, who, through his wealth and influence, made him chief of the town of Balayan. Having once risen, he showed himself to be capable of anything, since he made himself a landholder at the expense of the town and of his master, who died poor, and from that time the curate (friar) and the town, or rather the chief of the town and the curate were in league. Several years passed in this way until Gaspar Castano, then governor of the province, tired of this state of affairs, investigated as to who was responsible in order to make a radical reform, and it appeared that Manuel Ramirez was the author of it all, and he was accordingly deported to Mindoro.

There, instead of amending, he became worse, for in a few years he dominated the courts and the officials, and all these also were continually in league, while, on the other hand, the governor and the priest (friar) were continually hostile to one another and involved in lawsuits. The Spanish Government, wishing to put an end to this state of things in that island, selected Don Rafael Morales and sent him there as governor, and he quickly perceived that the disturber was Manuel Ramirez. He was warned not to again trample under foot either the court or the government, nor to present any petition in those provinces under pain of being deported to a distant island, and he was warned also to stop all plots. In the year 1898, when the island of Mindoro was taken by the Philippine forces, Ramirez was one of those singled out by the popular wrath, and he was arrested. But the chief who commanded the forces was governed by the desire to pardon and attract the bad Filipinos to the right, and taking advantage of the popular delirium of joy after the triumphs over the Spaniards he gave him and others their freedom.

As soon as he found himself free, fearful lest the townspeople should kill him, once their enthusiasm had passed, he escaped to Batangas and went from there to his old home in Balayan. Here he transformed himself into an ardent patriot and assisted the president as town secretary and provided all supplies for his brother-in-law, the great robber, Estaban Causapin, who also pretended to be a patriot and raised troops, but later Mr. Taggart, major of the Twentieth Volunteers, stationed in Balayan, ascertained that he was responsible for robberies and assaults in Nasugbu and Lian. (This Causapin now enjoys also the confidence of the Americans, for he is one of

their spies.) In October, 1900, when the American forces stationed in Balayan—the Twenty-eighth Volunteers—were relieved by the Thirty-ninth, the commanding officer of the latter, Mr. Langhorne, was arrested by the chief of the former, Mr. Taggart, before passing over the command.*

Already, in the time of Major Taggart, Ramirez had secretly denounced many people. Major Taggart, who does nothing except in accordance with his favorite phrase "evidence," and who is keenly observant, saw through Ramirez immediately and found no difficulty in comprehending that he is a man who, although intelligent, is to be feared because of his evil disposition. As I told you before, the unfriendliness between Mr. Taggart and Mr. Langhorne was well improved by Ramirez, who from that time not only acquired influence over the latter but also over all the officers, although the said Mr. Langhorne was a friend and a continual visitor at our house, so that, thanks to him, Ramirez could not then do us harm. After the forces of Commander Langhorne had been quartered a few months in Balayan an incident occurred in the house of Nicolas Ramos. As he and his family were in the habit of selling liquors, there came to their house one night some drunken soldiers of the neighborhood to buy wine, and as it was refused them and they demanded it resolutely, they came to blows. There was confusion, since some cried out that they were being assaulted by robbers and others fought desperately until an officer came and put a stop to it and brought them all before the chief. Once before Colonel Bullard, at that time in command, those who had been assaulted insisted that the intention was to rob them, and they even declared that money and jewels had been taken from them.

One of the assailants is a cousin of one of the officers, and certainly found out the truth, for the following night that officer with some soldiers went to arrest Geronimo Ramos, the son of Nicolas, who, when he saw him coming, began to run, and the officer pursued him with a revolver and wounded him in the hand, but so great was the terror of Geronimo that he did not stop until he could hide himself in the house of Juan Garcia.^b

It is known that this officer when he overtook and captured him took a more pacific course, for he agreed to bring him before the chief, Colonel Bullard, and there through the prayers of the Ramos family the matter was dropped. This family began to make presents to the chief and officers, while secretly Mario, a brother of Nicolas, became once more, with all his family, good patriots, forming committees for contributions to the Philippine forces.

Lorenzo and I, when all this happened, were here in Manila, and were ignorant of it all. Ramirez, who has been informed of this contribution by his brother-in-law, Causapin, and his brother, Hilarion, denounced all those who did not bow the head to him, and they were imprisoned, and they were set at liberty when our brother Cipriano surrendered with all his forces, March 11, 1901. From that time until the present there has not been a single combat or uprising in all the territory of Balayan, proving that town is not only peaceful and sub-

*The command was passed over to Captain Taylor, who retained it until Major Langhorne was released, after about one month's imprisonment, deposed from headquarters in Manila.

^b Clandestinely, as I have learned.—S. L.

missive to the Government of the United States, but that it is completely separated from the insurrection which still exists in other towns. On this basis I solicited and obtained from the military government municipal elections in the town on the 29th of September, and at these elections Ramirez was defeated, he being the candidate supported by the military, and especially by Captain Cheever of the Sixth Cavalry, commander of Balayan, and by the Ramos family, who became partisans of Ramirez through fear of him, since they had carried off and sold animals belonging to the friars in Balayan.

Ramirez made an accusation against us, and he and his friends began to threaten our family. I protested in writing to the then chief of the Department of the South, General Wade, and to General Chaffee, whose adjutant assured me that no harm should come to us through the denunciation of Ramirez. In a few days some people from Balayan told us that Ramirez was going about spreading the report that General Chaffee had refused to see me, and that very soon the Lopez family would fall, as his friend Cheever had assured him of this, who it is said piqued because his candidate was not elected, would take every means to ruin us. The rigorous exactitude with which the threat against us has been fulfilled leaves no room for doubt that it was they who ruined us, finding in the higher military authorities echo of their desire for vengeance against us, since these latter imagine that all the Filipinos are more or less guilty of sympathizing with the continuation of the war.

Now, I have given you all the facts about my services and those of my family to the Government, which will fairly justify the statement that we are simply the victims of the revenge and baseness of Ramirez. All the chiefs and officers who were and still are at Balayan, and who visited at our house and were our friends, will bear witness to this. I have wished to give you a complete picture of Ramirez, for I had a notion of attacking him through the governmental press here, since the authorities here will give no answer any more than those of Batanga and La Laguna is under the executive control of General Bell, but friends tell me it will be better to do it in America.

EXHIBIT I.

MANUEL RAMIREZ TO THE COMMITTEE IN BATANGAS.

To the Honorable Committee in Batangas:

I, Manuel Ramirez, president of the town of Balayan, with all due respect and through the president of the board of organization of this municipality, make the following declaration:

That at the municipal elections held in the town hall day before yesterday, the 29th of September, Señor Julian Afable has been elected president. He is the candidate presented by the potentates of this town, the Lopez brothers, who had so great an interest in taking from me my authority in the town and in giving it to Afable that they even went so far as to have votes bought for the latter. In the following pages I am going to state briefly why the Messrs. Lopez did this. Having an interest in the prompt pacification of these islands, I put myself in November of last year on the side of the

American officers stationed in this town, and worked with them to secure the surrender or capture, as the case might be, of the insurgents in this territory, including the towns of Balayan, Luy, Nasugubu, Laoe, Calatagan, and Lian.

Señor Cipriano Lopez, one of the above-mentioned brothers, was lieutenant-colonel and chief of this district and these towns until we succeeded in discovering in the estate of the Bancalan Ruy the encampment of the insurgent Maj. Señor Ignacio Laines, which belonged to the above-mentioned lieutenant-colonel's company. The Americans found in this house a traveling bag belonging to Laines, which contained money and important papers, which comprised a number of citizens of this town, one of them being Signor Lorenzo Lopez, brother of Cipriano, and revolutionary expresident of Balayan. In consequence of the discovery of these papers the American military commander of this town, Mr. Langhorne, ordered the arrest of various citizens, and even that of the before-mentioned Lorenzo, which was demanded by a telegram to Colonel Bullard, in Manila, where the former (Lorenzo) then was, in order that Colonel Bullard, when he returned to Balayan, where the real head of the American detachment was, might bring Lorenzo with him as prisoner, to include him with the other prisoners who were already in the prison, and send them all to Guam unless they secured the surrender of all the insurgents in Balayan, with their arms, numbering upward of two hundred.

That when Lorenzo was arrested in Manila, his brother, Señor Mariano Lopez, who has just affiliated himself with the Federal party, went to Colonel Bullard and begged him not to make his brother, Lorenzo, a prisoner, and that he would arrange that his other brother, Lieutenant-Colonel Cipriano, should present himself within three days of the arrival of Colonel Bullard and his brothers, Mariano and Lorenzo, in the town. The surrender, then, of Lieutenant-Colonel Cipriano Lopez was obligatory, through fear that the god of the family, Lorenzo Lopez, might be sent to Guam. From the foregoing it is clearly seen that the Lopez brothers, revenging themselves on me because I was friendly to the Americans, tried their utmost to take from me my command of this town, going so far as to buy votes, as the military commander, Mr. Cheever, can prove, since an elector has declared before him that he received payment for his vote to the amount of \$3, and produced a witness who was present when he received this sum from one of the Lopez agents who was buying votes.

By the subjoined clippings from the periodicals *Freedom and Democracia*, the honorable provincial committee will see that Señor Sixto Lopez, the brother of these here in Balayan, not only spoke very ill of the Americans, but also took the initiative in the formation of a new Filipino government on foreign soil to continue the war which had been semiparalyzed here in the islands by the capture of the president, Señor Aguinaldo. This fact, and the tenacious refusal to surrender of General Malvar, the protector and intimate friend of the Lopez brothers, are closely related to the elections at Balayan, since the president-elect, Señor Julian Afable, is a brother-in-law of the secretary of the treasury of the Philippine government, Señor Galicano Apacible, and it is not too much to suspect also that the Messrs. Lopez continue to work in favor of the insurrection.

That the honorable provincial committee should not believe that the Messrs. Lopez have tried to take from me my office of president

because I governed the town badly, since I subjoin to this paper copies of the certificates of my conduct, which have been given to me by the American military commanders who have been here and who still are here. In virtue, therefore, of the right given to me by article 13 of the municipal code, I present this protest, in due time and form, against the election of Señor Julian Afable, praying the honorable provincial committee to declare the elections held here null and void, and to prohibit the electors from voting for Señor Afable, since there are reasonable grounds for suspecting his loyalty, or to take the most extreme action which justice will allow.

MANUEL RAMIREZ, *President.*

BALAYAN, *October 1, 1901.*

BOSTON, MASS., *March 14, 1902.*

MR. LOUIS D. BRANDEIS.

DEAR SIR: With this letter I send you the letters which I have received from my brother Mariano and my sisters Juliana and Mariquita, in the Philippine Islands, some of which are directed to me and some to my brother Sixto, and I request you to deduce therefrom a brief statement which shall be laid before the President.

I will give you in this letter some other facts and explanations which I believe will be of use and which are not mentioned in the letters. They are as follows:

My father was named Natalio Lopez and died in 1884; my mother is named Maria Castelo.

The family consists of six brothers and four sisters: Mariano, 42 years; Lorenzo, 40 years; Sixto, 36 years; Cipriano, 29 years; Manuel, 24 years; Andrea, 32 years; Clemencia, 26 years; Juliana, 22 years; Maria, 17 years; Jose, 20 years.

Mariano has five children: Clarita, 9 years; Concha, 5 years; Natalio, 4 years; Emilio, 3 years, and Socorro, 2 years.

My brother Sixto since the year 1892 has been out of the Philippines living in Europe, and during that time he has not returned to his country. In the years 1893 and 1899 he was in America, and again in the year 1900-1901 he spent ten months here. For approximately two years Jose has been at Newcastle-on-Tyne, England, studying to become an engineer.

None of the property which my family possesses has as yet been divided, but all the brothers, with the exception of Sixto and Jose, have taken part in the carrying on of the business. In the year 1896 it was to have been divided, but this was not done on account of the war, which caused great loss to our interests.

Besides the lands and other property which we have in the town of Balayan, and which is chiefly devoted to the raising of sugar, rice, and corn, we have a ranch for cattle and carabaos in the town of Abra de Ilog, in the province of Mindoro, containing all told, between cattle and carabaos, about 2,000 head. There also belongs to my family a steamer, called the *Purissima Concepcion*, of 65 tons, and a brigantine schooner, the *Oretano*, of 100 tons, more or less.

On the 13th of December of last year (1901), my brother Manuel was on board the steamer *Purissima Concepcion* in the port of the town of Boac, Marinduque, which is under civil government. While he was

there, an officer with 25 soldiers came out to him, saying that a telegraphic order had just been received from General Bell for Manuel to transport them to Batangas. Manuel, supposing that they intended to hire the boat, went with them, and he could not otherwise have entered this port, which had been closed for several days. When they arrived in Batangas he was arrested, and Captain Cole came on board and took the steamer to Balayan to take on board my other two brothers, telling them also that the General wished to confer with them. They also were arrested, and the boat was seized by the Americans.

On the 15th of December, 1901, Mariquita and I went to Hongkong to see my brother Sixto, who could not go to the Philippines because he had refused to take the oath of allegiance. This law, referring to all those who should come from abroad, was enacted on the 15th of October, 1901.

While we were in Hongkong we learned of the arrest of our brothers and of the seizure of our property, and on that account I decided on the voyage to America, coming by way of Europe.

Very respectfully,

CLEMENCIA LOPEZ.

EXHIBIT J.

JULIANA TO CLEMENCIA AND MARIA LOPEZ, THEN AT HONGKONG.

MANILA, *December 17, 1901.*

MY DEAR SISTERS: I suppose that now you can already distinguish from the deck of the steamer the shores of Hongkong, and so only a few hours will elapse before you arrive and quickly see Sixto and our friends, whom also you have not seen for some time, though not so long.

I write to tell you that I am delighted because of the joy it will give you to see at last our dear brother and never-to-be-forgotten friends, who will be astonished, not expecting to see you so soon.

Yes, from the time you started until now I have been counting the hours it will take you to reach them, and have been making conjectures as to how you have passed the journey, and whether Clemen would be very seasick and whether Quita would eat as well on board as ashore, in spite of her promise to me to never lose her liking for food. I am sure you will be very cold and that the climate there will affect you in spite of the fact that Clemen said it would not, and I say this because for two nights we have felt it and it has indeed troubled us.

Yesterday morning I telegraphed to Lorenzo, through Raymond, telling him of your departure and that of your companions, and I also wrote him by post a long letter, telling him many things. We do not intend to go back to Balayan this week, but shall go next week if they give us a pass, for it is said that well-to-do persons, that is, persons who can live comfortably here in Manila, are not allowed to return to their towns. As I am not sure about this information, I shall try to get permission through our friends, and as soon as we obtain it we shall make haste to leave here as soon as possible, lest

other laws should be passed that Balayan should be completely closed against us and we could not go. We know nothing of Balayan and believe it is quiet, for otherwise they would have telegraphed us telling us what was happening.

I will not write any more for fear of missing the mail.

Our affectionate regards to all our friends, and in particular to Messrs. Warren and Patterson, whom I remember always and shall never forget; and do you receive the embrace of your sister,

NINAY.^a

FROM JULIANA TO CLEMENCIA AND MARIA LOPEZ (THEN AT HONGKONG).

MANILA, *December 19, 1901.*

DEAR SISTERS: In great distress I write to you to tell you that Lorenzo, Cipriano, and Manuel have been arrested, the first two in Balayan,^b and Manuel, I suppose, in Boac, and all three are prisoners in the jail at Batangas.^c According to information we received last Friday, the 13th, our house was thoroughly searched and the title deeds and also some money were taken away. On the night of the same day the *Purissima* went to arrest them, and Manuel went in the steamer and with the other two went to Batangas.^c It is also said that the keys to the rice storehouse are in the hands of the major, so that nothing can be taken out without his permission. The crew of the *Purissima* are also prisoners.

This news will surprise you as much as it surprised me. Mother does not know it yet, and I shall not tell her, for it would kill her. We are working, and hope justice will be done them and they will be set at their liberty. I inclose a cutting from the *Diario de Filipinas*. Our friends who have read it are astonished, if he has really had interviews with these gentlemen, that he should have so bound himself, as it is not in his hands to secure the fulfillment of the promise. Also, the lawyer with whom Sixto conferred is not to be trusted, according to those who know him. I do not know what to do, but through it all I hope justice will be done, since, as you know, they are innocent.

Good-bye. Consider what you ought to do, whether you ought to come or not.

Your sister,

NINAY (JULIANA).

JULIANA TO CLEMENCIA LOPEZ (THEN AT HONGKONG).

MANILA, *December 21, 1901.*

DEAREST CLEMEN: When you receive this you will already have read mine of day before yesterday, in which I told you in detail about how our poor brothers—Lorenzo, Cipriano, and Manuel—were taken prisoners, and of the holding of the steamer in Batangas and the arrest of all the crew. We do not yet know how they are treated in the prison of Batangas, where they are, whether well or ill, but I shall soon know, perhaps this evening or to-morrow, for the *Custer* will arrive and I have commissioned a friend of mine to find out exactly what is happening in Balayan and Batangas as regards our brothers, and he will

^a Juliana.

^b In the province of Batangas.

^c The city.

he would do so with pleasure. Mariano and I do not cease working to obtain their liberation.

You can not imagine, Clemen, how heartsick I am, and much more so that I have to conceal it before our poor little mother who has a presentiment that some misfortune has befallen us because of the lateness of the boat. And I, to persuade her that there was nothing of the sort, told her that the reason was because the Americans had hired it. I do not know whether to advise you to come or not; but as for the last two days I have been running here and there and have gotten nothing but promises. I should like you to come for that reason, for I can do nothing alone. Yesterday I went twice to see if General Chaffee would receive me and failed. They say that he will deal with nobody; and yet I can not decide to go to Batangas knowing what Bell is, without a recommendation from Chaffee. So I do not know what to do. On the other hand, the Federal party have promised to work, and I do not know whether they will succeed. We all believe that they have taken these harsh measures, imprisoning the principal men in the province, in order that everyone may work with energy for the surrender of Malvar.

Say to my brother, if you have not received my last letter, that we have read in the papers of his interview with Captain Dwyer and with a lawyer whose name I do not remember. None of our friends believe that he would pledge himself so deeply, and therefore warn Sixto not to fall into the trap. I was going to send him the clipping, but I do not find it at hand, and since I am sure that you have received my letter with the clipping where it tells of his interview with the gentleman, and that General Chaffee has refused to allow him to come unless he takes the oath, and if he should permit it, I do not need to tell you what would happen. Remember Martin C.

Good-bye, with remembrances from your sister who loves you.

NINAY (JULIANA).

FROM JULIANA TO CLEMENCIA LOPEZ (AT HONGKONG).

MANILA, *December 26, 1901.*

DEAREST CLEMEN: We did not think it best to answer your telegram received yesterday morning because of the present condition of our family. Up to the present time, then, our brothers still remain prisoners in Batangas, and the steamer is held like all the rest of the property, and what is more, we do not know to whom to apply to free either our brothers or the property. Everybody with whom we talk about this tells us to have more patience and to proceed with calmness, because it is the military system, and the measure is a general one. The result is that I am in despair because I can do nothing for them. Through a friend I have learned that they are well treated in Batangas, and that they are not made to work as in Lipa, where great and small, except the stout brother of your friend, and some others whom I do not remember, but all the rest work.

The steamer *Parisima* is an American transport now and serves the Government, but it does not come to Manila, but only makes trips in the provinces. We have news, also, that they have not changed the crew of the steamer, but they do not let them land, especially in

Batangas. I have received no letter from Balayan nor from our brothers, so I am not certain whether this news is true. I can not write to them for fear of making their situation worse, for you do not know. Clemen, how the people of Batangas are suffering now, and what they will suffer from hunger. On the other hand I can not write to the officers who are our friends, firstly, because all those in Balayan are new and I do not know them, and those whom I do know I am afraid of compromising. Captain Cole was removed from Balayan because he did not wish to take our brothers prisoners, and defended them in every way. So it was that I could do nothing else but beg the favor from a friend, known only recently, that he should go in person and at least find out how they are; and night before last he came and told me that they were well and well treated. On one account we ought not to be so unhappy, for there are others more unfortunate than our brothers.

Although they say that until Malvar surrenders they will not give them liberty, yet I will trust in God that they will soon be set free, since Balayan is still peaceful and quiet. I do not know whether you will be able to understand this letter, for it is like my head, topsy-turvy. Arrange it so that when you come you bring absolutely nothing with you—nothing—for you will be under suspicion for the slightest cause. Mariano says that our brother ought not to come, and many think that this measure taken against our brothers is on his account and his friends who were here. When you write direct the letter to — so that it may not attract attention. Mother does not know it yet but suspects, because of the lateness of the boat, and I tell her anything so that she may not be troubled.

Good-by, with regards to all.

Your sister,

NINAY (JULIANA).

FROM ——— TO SIXTO LOPEZ (AT HONGKONG).

MANILA, *December 26, 1902.*

DEAR SIXTO: On the 11th instant the *Purissima* left here for Boac^a with Manuel on board, and arrived there the following day. On the same day Manuel was arrested and transported to Batangas^b in the *Purissima* by order of General Bell. On the 13th, still by order of this general, the *Purissima* went to Balayan with Captain Cole and Lieutenant Allan on board, and after having occupied the house and confiscated the papers, title deeds, and keys, they arrested and took to Batangas Lorenzo, Cipriano, and Felix^c, where they are now held as prisoners, and the steamer was converted into a Government transport. The motive for this is not known, but it is all the more extraordinary because Balayan is the only pacified town in Batangas, and has supported the Government since the 11th of March of this year until the present date. To such an extent was this true that the military government allowed municipal elections there on the 29th of last September, and good feeling and friendship existed between the Lopez family and the chiefs and officers so that these often visited at the house.

^a Island of Marinduque, which is under civil government.

^b Under military government.

^c Felix Unzon, the first president appointed by the United States authorities.

On the 10th instant the ports of Batangas and La Laguna were closed, and to-day the term of reconcentration ends. Before the close of this period we had already received here, from a trustworthy source, awful news from there, that all the people in the towns who had upward of \$4 were apprehended, and villages were burned. Now that reconcentration is in full force, what will this poor people not suffer!

I will give you some examples, not to mention some others which happened in Lipa, which are worse, and which my pen refuses to describe. All the municipal officers were imprisoned, and all the respectable men, and they were put to work in the streets. All the suburbs were burned, and that of Balete was burned in the following manner: The American troops obliged the householders to walk on foot from the town, each one carrying a tin can of petroleum, and when they arrived they were each one obliged to burn his own country house.

One day an American soldier knocked at the door of a sister, by a third marriage, of B. Solis, who sold rice, and asked for rice for the horse of a lieutenant. He was answered that at that house rice was not given away, but was sold. The mistress of the house complained to the Colonel, who promised to do her justice, but after that two soldiers appeared, and the woman, frightened, yielded, allowing them to enter and take away, out of a large basket, the rice which they desired. Later the lieutenant came with soldiers and searched the house and found ammunition in the basket. For that reason the masters of the house were taken prisoners. Here nothing can be done for these unhappy provinces to soften the harsh measures. The Government is firm in its decision that until Malvar surrenders there shall be no change, and when protest is made in favor of innocent people who are loyal to the Government, women, old people, and children, it is replied that these are measures of war, and that even in America these same measures were taken during the civil war.

Even here in Manila no one lives in safety, since the belief prevails among the military that all the Filipinos are more or less traitors to the Americans, and in this respect the civil authorities allow themselves to be overruled, being convinced that the military element desires the continuance of the war and is doing everything possible to have all the islands returned to its control, with the assistance of the American press here, as you have already noticed. Therefore, taking note of all that I have said, I beg you to work in America; but I hope that you will do so with great prudence, so that you shall not in any way make worse the situation of your unfortunate and destitute brothers and sisters here. You will pardon me for telling you not to come now, with or without taking oath, if you do not wish to make worse both their situation and your own as regards the Government, without helping matters any. For the same reason do not write to them except by sure and certain messenger.

Good-bye.

MARIANO TO CLEMENCIA LOPEZ (AT HONGKONG).

MANILA, *December 28, 1901.*

CLEMEN: I write to tell you that our poor brothers, Lorenzo, Cipriano, and Manuel, are still prisoners, and our steamer and posses-

sions confiscated, and I find myself now powerless and unable to remedy matters, since all my efforts up to the present time have been useless, and I can think of no other effective remedy but this: I believe that if Sixto should offer to recognize the Government, swearing allegiance to its sovereignty in these islands, on condition that our brothers should be set at liberty and our steamer and goods returned to us, it would be accepted.

In Sixto's hands, then, lies the remedy for our troubles and total ruin, and he must choose one of two things: Either to sacrifice himself, renouncing his desire to set free his country at the cost of his life and put in its place brotherly affection to save us, or, shutting his eyes to all this, to remain sternly faithful to his aims, sublime and heroic it is true, but leaving us all to die, some in captivity and the others in misery. And Sixto must not think that if he should come and offer to suffer everything in place of his brothers the Government would be willing and would remedy our situation. Of this, at least, he must not think, for they might lay hands on him also if he persists in not taking the oath when he comes. Our mother begs me earnestly to tell you to come back by the first boat, and to beg our friends to write us nothing about politics if they do not wish to make our condition worse.

Your brother,

MARIANO LOPEZ.

JULIANA TO CLEMENCIA LOPEZ, AT HONGKONG.

MANILA, *December 28, 1901.*

DEAREST CLEMEN: Two weeks have passed since you went away, and yet I have not received any letter from you up to the present time, and you can not imagine how impatient I am to receive one, because in the situation in which our family at present finds itself I ought to know your decision, and also what I ought to do on my part. I have done everything and have got nothing but promises, and some tell me that when the war is ended they will be put at liberty, from which you can judge whether I can do anything more. I have been able to do almost nothing for their welfare, except to beg recommendations from the friends of Bell that he should treat our poor brothers with consideration.

Yesterday I saw Captain Taggart, who has just come, and he told me, among other things, that the imprisonment of our brothers was due to Sixto, whom our brothers maintained, since he is a great enemy of the American Government, as he does not wish to come to the Philippines and swear allegiance, which would be the only way to settle the matter. And when I told him that they were mistaken in thinking this, and that even if that were the case as regards Sixto, he is the only person who ought to be involved in this affair, and if they believe him guilty, as they say, for he acts according to his own judgment and does as he thinks best. And finally he advised me that the only way in which the Government could return to us the confiscated property would be for us to divide it up, and in that way we could have ours, and the only part which would remain in the hands of the Government would be that belonging to Sixto. As to letters received yesterday from our friends for mother, they have made me very unhappy and troubled, for they will acquaint her with everything. I

do not answer them directly, for I fear that something might happen to me; you will be able to guess why. I only sent word to say that in no way could she satisfy them at present because we are almost in misery, and that she is very grateful for the interest which they take in your education, and when matters are arranged we shall have the means to send you anywhere in the world that you wish to go. Arrange it so that your letters, until you think of coming, come into my hands.

Yesterday I know that you had sent through some one, but he was afraid that your letters would compromise him, thinking them something else, and tore them up. Indeed, it is not surprising, so many incredible and horrible things have happened. They say that they will devastate all Batangas if it is not pacified at once. All remain prisoners, and the number increases. Even priests and curates are suspected. That is why, in view of all these things, I prefer almost anything rather than to see so many die of hunger; so many people entirely ignorant of what is called politics. When I complain of this inhumanity, they only reply that such is war, so that they explain by this answer all their inhuman actions. I am so much distressed to see mother so afflicted by the lateness of Manuel, and if she knew the truth of what has happened to Lorenzo and Cipriano also I do not know what would become of her. For my part, I wish you would come, considering the sad condition in which we are, and I think all the more of Pepe.*

Good-bye. Regards to everybody, and remember that you are not forgotten.

NINAY (JULIANA).

FROM SIXTO LOPEZ.

JANUARY 1, 1902.

DEAR MARIANO: Whilst I admire the spirit that has prompted you in proposing that I should make a great sacrifice in order to secure the release of our brothers, I can not do what you suggest. I believe it to be my duty to make sacrifices for our country and for those who are near and dear to us, but I can never agree that it is right to sacrifice principle or to yield to suffering when we are in the right. You know as well as I do that Lorenzo and Manuel, and Cipriano since his surrender, have done nothing to aid or incite the Filipinos under arms, and that they have done nothing in opposition to American authority. Consequently their imprisonment is neither legally nor morally justifiable. Therefore to make any sacrifices in return for their release would be simply reviving the old system of bribery which held sway under Spanish rule, and it would practically amount to yielding to blackmail. This we, of all people, must not countenance. If we can not get justice for our brothers and our property, then we must suffer, and that suffering is the only sacrifice which it is proper for us to make.

We should remember that our fellow-countrymen have suffered and are suffering for the sake of right. Even the poorest and least educated have been prepared to sacrifice their life for what they believe to be the benefit of their country. Shall we, then, who have been

*Jose, the brother in England.

blessed with some degree of wealth and education, shall we flinch and yield at the first stroke of calamity? For myself I answer, "Never." I am prepared to sacrifice my property and my life for the good of my country or for the benefit of our family, but the sacrifice which you suggest I will never, never consent to make. The American authorities may inflict punishments on our family that may break my heart or my life, but they will never be able to break my principle as long as God Almighty remains on the side of what is right.

But the two courses which you mention in your letter are not the only alternatives. There is another course which I believe will secure justice and the release of our brothers. It may not bring relief as soon as the one you suggest, but it will be more effective and permanent in its results. It involves no sacrifice of principle and no violation of right. It would be improper at this stage to give you the details, but I intend to pursue it, and we shall see whether it will prove a success.

Fortunately, if I can obtain no help for my family, I shall still be able to carry on the work, for every injustice inflicted on us will only bring more aid and sympathy to our people. Wrong will always turn upon the wrongdoer, and will finally benefit those who are wronged. It is therefore for us to do what is right and suffer patiently any temporary wrong, knowing that right will ultimately triumph.

But let me make my own position clear. I am entirely in favor of a cessation of all armed resistance to American authority. I have always believed, with you, that the war was not necessarily to our people's interests, and I am of the same opinion still. I am therefore willing to do whatever lies in my power to bring about peace. But I utterly despise the policy which inflicts punishment upon neutral non-combatants in order to secure the surrender of those in arms. Neither morality nor the rules of war sanction such a policy. To my mind it is an unutterably mean and cruel method of securing victory. It is unworthy of an American soldier and a blot upon the escutcheon of the nation that went to war to put an end to the methods of General Weyler. And although under other circumstances I should counsel surrender by Malvar and his forces, I can not urge him to surrender in response to such methods of warfare.

Better a thousand times for us all to suffer, knowing that the more we are made to suffer the sooner will come our final relief. Injustice and wrong will no more bring victory to America than to General Weyler. We should remember that there is One who is more powerful than money and guns, and that One is on our side. We may have to suffer, for we can not claim that we are immaculate, but the great balance of right is on our side, and that ought to satisfy us and give us the assurance of ultimate triumph.

You will, ere this, have received my letter telling of Clemencia's departure for America, and the reasons which moved us all to adopt this course. Your and Juliana's letters only served to confirm me in the belief that we have adopted the proper course. If necessary, Clemencia can return within three or four months. Mariquita is happy and contented, and for the present, or until I leave Hongkong, I should recommend her to remain. But of course she will do whatever mother advises.

FROM JULIANA TO SIXTO LOPEZ.

MANILA, *January 8, 1902.*

DEAR BROTHER: We have received your letter of the 28th, and indeed we are much displeased that you have allowed Clemen to go alone without any of the family with her, for we should have wished you to go with her, as is natural and the custom of the country; but apart from that we are consoled by the idea that she is accompanied by a friend worthy of all confidence, who will help her in every way and take great pains that she lacks for nothing. Mother agrees completely to what you have decided, and indeed she was obliged to agree to it, knowing as she does our sad situation. When we telegraphed for Clemen and Mariquita to come it was only so that Consuelo might not come alone, for we thought at first that the idea of going to America was only a project; we did not know that you had already decided and that she would go without mother's approval. Believe me that mother, who now knows all that has happened to us, is willing and was only troubled by the expense it would be, but your letter relieved her.

Since the 31st of last month our brothers have been prisoners in the bay on board of one of the United States transports, and in three days they are going to take them to Olongapo. Yesterday we went to visit them, and the officers of the guard were good enough to let us talk with them for a long time, and accordingly we learned through them that while Manuel was on board the steamer* an officer in command of 25 soldiers asked to be taken to Batangas, having received a telegram from Bell to go there; so that Manuel, deceived into believing that they were hiring the vessel, also went himself with them, and when they had arrived in Batangas nobody disembarked, but at once, on the contrary, Captain Cole, the commander at Balayan, came on board and ordered the boat to proceed to Balayan, to get Lorenzo and Cipriano. These two told me, besides, that after the house had been searched they took away all letters and papers and the keys to the rice storehouses and other things, and when they left the house they told our brothers each to pack a traveling bag and their beds, because that evening a steamer would pass which would take them to Batangas, and that General Bell wished to hold a conference with them in Batangas.

They did not leave Batangas, nor were they allowed to make a declaration or even know of what they were accused; but, on the contrary, the transport *Liscum* took them, after they had been imprisoned three weeks in the jail, and brought them to Manila on the way to Olongapo. They are in a way resigned to their fate and are glad that they are going to Olongapo, because in Batangas they suffered morally and physically; they say that they were given nothing to eat but rice and salt, and that many of the lawyers and rich men of the town, whose names they gave, work in the streets like the lowest criminals, and although it is true that they were not obliged to work, they were horrified at so much injustice, and suffered just as much. All our affairs are still suspended, and through a letter which I received from the captain of the *Purissima*, who was in Balayan on the 23d of December, Andrea has sent word that they have been obliged to leave the house.

*The family steamer, the *Purissima Concepcion*.

as the soldiers are occupying it, and that she is going away for fear that they should commit some outrage upon her person.

Andrea says that the Americans are now doing everything that the Spaniards did during the war, and I am very much astonished, for always formerly when we told them about things done by the Spaniards they were very indignant and called them barbarous and inhuman and used the strongest language possible. And what makes me despair all the more is that they do not allow us to speak of the injustices which are being committed in these provinces. No newspaper dares to complain, and the only one which explains things is "El Renacimiento," but even that does not dare to speak plainly under pain of law. We are glad you are not coming now.

Good-bye. Remembrances from everybody.

Faithfully,

NINAY.

FROM MARIANO LOPEZ.

MANILA, *January 8, 1902.*

DEAR SIXTO: I have received your letter through Mariquita, who came yesterday, very weak, owing to seasickness during the voyage. In answering it I will only say that, considering the atmosphere in which you live, alone, and almost called to be a martyr for your country, it seems to me excellent and not to be improved; but as for me and millions of our compatriots in the surroundings in which we live, considering the circumstances and our respective families, for whom we must consider very carefully, we can not follow you in the patriotic road which you have laid out, but we do not on that account consider ourselves any less patriotic than you are; for if history holds up to you examples of heroism, even to the point of sacrificing one's life for one's country, it gives us on the other hand examples of even great nations who have yielded to the superior force of the enemy, preferring to submit to the conqueror rather than continue the struggle at the price of total extermination. I admire and respect your views and convictions, but try not to compromise any more of us who are here if you do not wish to force your brothers to follow in your path.

Our three brothers, with Felix Unzon, are at Bahia on the transport *Liscum*, to be deported, although we do not yet know where. A military commission has been to inspect the island of Talim. La Laguna, and some people think that perhaps it will be that island. I was able to talk with them, and they tell me that they have been embarked without any formal writ or notification as to the reasons, and if they know anything about it it is because a messenger from the officers who keeps the record of the prisoners has told them that in those records there is no accusation against our brothers except that of being suspected of maintaining the insurrection, and he has offered to endeavor to liberate them, saying that for a small sum of money he could accomplish it. Our brothers refused this offer because of their self-respect and innocence. Several obtained liberty in Batangas in this way, and it is known of Mariano Ramos, the son of Juan Ramos, that he was freed through the influence of the present favorite of the Americans, Manuel Ramirez.

I will tell you about him, in case you do not remember his past. I will put it down for you now. You know that Ramirez started as a

boy and clerk of the deceased Don Manuel Araulio. When he continued in the employ of his son, Don Augustin, now also dead, who, through his wealth and influence, made him chief of town of Balayan. Having once risen, he showed himself to be able of anything, since he soon made himself a landholder at the expense of the town and of his master, who died poor, and from that time the curate (friar) of the town, or rather the chief of the town, and the curate were in league. Several years passed in this way, until Gaspar Castaño, then governor of the province, tired of this state of affairs, investigated as to who was responsible in order to make a social reform, and it appeared that Manuel Ramirez was the author of all, and he was accordingly deported to Mindoro. There, instead of mending, he became worse, for in a few years he dominated the people and the officials, and all these also were continually in league, while on the other hand the governor and the priest (friar) were continually hostile to one another and involved in lawsuits.

The Spanish Government, wishing to put an end to this state of affairs in that island, selected Don Rafael Morales and sent him there as governor, and he quickly perceived that the disturber was Manuel Ramirez. He was warned not again to trample under foot either the laws of the Government, nor to present any petition in those provinces under pain of being deported to a distant island, and he was ordered, also, to stop all plots. In the year 1898, when the island of Mindoro was taken by the Philippine forces, Ramirez was one of those singled out by the popular wrath and he was arrested. But the general who commanded the forces was governed by the desire to pardon and attract bad Filipinos to the right, and, taking advantage of the popular delirium of joy after the triumph over the Spaniards, he gave them and others their freedom. As soon as he found himself free, fearing that the townspeople should kill him, once their enthusiasm had subsided, he escaped to Batangas and went from there to his old home, Balayan. Here he transformed himself into an ardent patriot, and was elected the president as town secretary, and provided all supplies for his mother-in-law, the great robber Estaban Causapin, who also pretended to be a great patriot, and raised troops; but later Mr. Tagmajor of the Twenty-eighth Volunteers, stationed in Balayan, ascertained that he was responsible for robberies and assaults in Igbu and Lian. (This Causapin now enjoys also the confidence of the Americans, for he is one of their spies.)

In October, 1900, when the American forces stationed in Balayan, the Twenty-ninth Volunteers were relieved by the Twenty-ninth, the commanding officer of the latter, Mr. Langhorne, was arrested by the order of the former, Mr. Taggart, before passing over the command. Already, in the time of Major Taggart, Ramirez had secretly denounced the people. Major Taggart, who does nothing except in accordance with his favorite phrase "evidence," and who is keenly observant, saw through Ramirez immediately, and found no difficulty in comprehending that he is a man who, although intelligent, is to be feared because of his evil disposition. As I told you before, the unfriendliness between Taggart and Mr. Langhorne was well improved by Ramirez, who

the command was passed over to Captain Taylor who retained it until Major Langhorne was released after about one month's imprisonment, decreed from headquarters in Manila.

from that time not only acquired influence over the latter but also over all the officers, although the said Mr. Langhorne was a friend and continual visitor at our house, so that, thanks to him, Ramirez could not then do us harm. After the forces of Commander Langhorne had been quartered a few months in Balayan an incident occurred in the house of Nicolas Ramos.

As he and his family were in the habit of selling liquors,* there came to their house one night some drunken soldiers of the neighborhood to buy wine, and as it was refused them and they demanded it resolutely, they came to blows. There was confusion, since some cried out that they were being assaulted by robbers, and others fought desperately until an officer came and put a stop to it and brought them all before the chief. Once before Colonel Bullard, at that time in command, those who had been assaulted insisted that the intention was to rob them, and they even declared that money and jewels had been taken from them. One of the assailants is a cousin of one of the officers, and certainly found out the truth, for the following night that officer with some soldiers went to arrest Geronimo Ramos, the son of Nicolas, who when he saw them coming began to run, and the officer pursued him with a revolver and wounded him in the head, but so great was the terror of Geronimo that he did not stop until he could hide himself in the house of Juan Garcia. It is known that this officer when he overtook and captured him took a more pacific course, for he agreed to bring him before the chief, Colonel Bullard, and there, through the prayers of the Ramos family, the matter was dropped. This family began to make presents to the chief and officers, while secretly Mario, a brother of Nicolas, became once more with all his family good patriots, forming committees for contributions to the Philippine forces.

Lorenzo and I, when all this happened were here in Manila, and were ignorant of it all. Ramirez who had been informed of this contribution by his brother-in-law, Causapin, and his brother Hilario, denounced all those who did not bow the head to him and they were imprisoned, and they were set at liberty when our brother Cipriano surrendered with all his forces March 11, 1901. From that time until the present there has not been a single combat or uprising in all the territory of Balayan, proving that the town is not only peaceful and submissive to the Government of the United States, but that it is completely separated from the insurrection which still exists in other towns. On this basis I solicited and obtained from the military government municipal elections in the town on the 29th of September, and at those elections Ramirez was defeated, he being the candidate supported by the military, and especially by Captain Cheever of the Sixth Cavalry, commander of Balayan, and by the Ramos family who became partisans of Ramirez through fear of him, since they had carried off and sold animals belonging to the friars in Balayan. Ramirez made an accusation against us, and he and his friends began to threaten our family.

I protested in writing to the then chief of the Department of the South, General Wade, and to General Chaffee, whose adjutant assured me that no harm should come to us through the denunciation of Ram-

*Clandestinely, as I have learned.—S. L.

irez. In a few days some people from Balayan told us that Ramirez was going about spreading the report that General Chaffee had refused to see me, and that very soon the Lopez family would fall, as his friend Cheever had assured him of this, who, it is said, piqued because his candidate was not elected, would take every means to ruin us. The rigorous exactitude with which the threat against us has been fulfilled leaves no room for doubt that it was they who ruined us, finding in the higher military authorities echo of their desires for vengeance against us, since these latter imagine that all the Filipinos are more or less guilty of sympathizing with the continuation of the war. Now, I have given you all the facts about my services and those of my family to the Government, which will fairly justify the statement that we are simply the victims of the revenge and baseness of Ramirez. All the chiefs and officers who were and still are at Balayan and who visited at our house and were our friends, will bear witness to this.

I have wished to give you a complete picture of Ramirez, for I had a notion of attacking him through the governmental press here, since the authorities here will give no answer any more than those of Batangas and La Laguna is under the executive control of General Bell, but friends tell me that it will be better to do it in America.

General Bell was sent to Batangas by his superiors with absolutely unlimited power, and as he is naturally of a very violent temper, and incited by his friends the friars, and Spaniards, you can imagine what sort of barbarities will take place there. Poor Cipriano surrendered with all his forces, trusting in the honor of the American representatives in the Philippines. He has given absolutely no cause for suspicion; Balayan was absolutely peaceful, pacified, and submissive to the Government of the United States after his surrender; he was chosen electoral judge in the municipal elections of the 29th of last September and named councilor by popular vote, defeating Ramirez. Do you suppose this adversary of ours would have kept silent if there had been any fault which would have disqualified him for these positions?

Moreover, on the day that he was arrested (the 13th of last December) it happened in this way: That evening he was going on horseback with Lieutenant Raymond, of the Sixth Cavalry, to look over and mark out territory within which the reconcentrados would have to remain, but when they returned to the town another officer appeared and arrested him by order of General Bell. In all these towns all those who have no personal worth are the friends and trusted agents of the Americans. Now, the American friends who helped us so far as they could are the chief of police, Mr. Curry, and Mr. Pendleton, who was the captain of the port of Balayan. The former went with me to General Chaffee, whom we could not see, but saw the inspector-general, who, after listening to me with benevolence, advised me to see the adjutant-general of the north, Colonel Wagner. I could not see him, but it was Adjutant-General Wheaton who received me and agreed to present a memorandum of my services to the Government.

Take care in writing to us, now that you know how closely watched we are.

MARIANO.

TO SIXTO FROM JULIANA.

MANILA, *January 10, 19*

DEAR BROTHER: I told you briefly in my previous letter that Quita arrived Tuesday at 1 o'clock in the morning, and could not meet her on board the *Rosetta*. We found the poor thing very and so weak that she could not stand, so that for a moment we thought that she had been taken ill there before starting, but she told us since going aboard she had eaten nothing on account of the very voyage that they had had, and that she had suffered very much on other causes, when she remembered the few happy days she spent with you and wondered when she would see you again, and indeed only knows when we shall all have that great pleasure, if in a few days you go far from these islands, as you think of doing. Pardon me for saying once more that we are all, and particularly mother, very anxious, and all the more so, considering what you have decided on Clemen's going, although, to tell you the truth, many who call themselves our friends do not approve, but on the contrary prophesy all sorts of horrible things will happen to our family when it is known that Clemen has gone to look after our affairs.

Yesterday afternoon Mariquita and I, accompanied by an American friend, went to visit our brothers on the *Liscum*, and, according to the official who has charge of the prisoners, they are going to take them to a place in the island of Talim, which is in La Laguna de Bay. As you will understand, we become more and more despairing. They will take them to a place where we can neither see them nor communicate with them. Nevertheless, I hope that Captain Curry will obtain permission from Chaffee to keep them here in Manila, so that he may at least be imprisoned here in Manila, where we can see them when we wish, and be treated as their position demands. I have just found out that the *Oretano*^b is also seized and the crew are all prisoners. I have no news from Balayan; I only know through the newspaper that it continues tranquil as ever. I must close this now, for I still to write to all the officers in Balayan to beg from them a statement vindicating the conduct of our brothers.

Good-by, and keep well.

NINAY (JULIANA)

TO SIXTO FROM JULIANA

MANILA, *January 14, 19*

DEAR BROTHER: Two days ago Marquita and I went to see Captain Curry to beg him that he, in his turn, should ask the other authorities that our brothers should not be taken to the island of Talim as proposed, but that he might be answerable for them, keeping them as prisoners here in Manila. As they are both delicate in health, especially Lorenzo, we should like to have them here near us, so that we can see them and help them when they need our care. This good friend has promised that he would speak to Chaffee about all this, and what

^a Wife of Mariano.^b Brigantine schooner.

more, he told us that if he succeeded he would keep our brothers in his house, where they would be much better off. But this afternoon we learned from him that this would not be granted us, and that a telegram had been received from Bell saying that Cipriano would be set free when his hair was white, since there were 50 guns which he did not give in on the day of his surrender; but that he would be freed the moment that he gave them up, and that as for the other two, according to his notion and for the good of the government, they had better remain as they were to be company for Cipriano, and finally because they had a brother, Sixto Lopez, who was a great enemy of the government, they were justly imprisoned.

As you will understand, this distresses us very much, because it makes us realize more and more that we can have no hope for justice from these gentlemen who boast of doing everything according to the law and for the good of the government, although they sacrifice many unfortunates who have not deserved such punishments. Nevertheless, it consoles us much that we have some friends who help us and do what they can to have our brothers well treated and well fed, and we ought not to forget that although some desire our misfortune others of that same race are working for our happiness.

Let us speak of something else. I still have your letter to Sr. —, not knowing by whom to send it, for some friends with whom I consulted advised me to proceed with much caution, since they fear that this gentleman may do me harm, knowing as they do that he thinks only of counting his money. I am sorry from my heart that I can not at once do as you ask, but you must know that our Philippine friends, the majority of them, avoid us since the arrest of our brothers and seizure of our goods, which has frightened them to the last degree, so much so that they have entirely ceased to come to the house.

To please you, and still more for the sake of our poor country, I thought for a moment of taking it in person, and said so the mother, but she was so troubled for fear of what might happen to me that she made me give up my plan, and since then I have decided that indeed it ought not to go to him through my hands lest it make the situation of our brothers worse. Indeed, no one wishes to compromise himself by taking this letter to the gentleman, who, according to many who know him intimately, knows no other happiness than to possess much money, and they do not believe that he would spend some thousands so that he might be persecuted for his country. Without doubt there will be a way.

Would it not be better that you should write to him by post? In this way he could not, even if he wished, point out the person from whom he received it; for I imagine that he might give your letter to the Americans. Even if he is very miserly, because he has spoken well of you I hope that he will have confidence in you and believe you.

Good-by until next time, with many regards for yourself and for Mr. Patterson.

Faithfully,

NINAY.

P. S. This morning at 6 o'clock they carried our brothers to the Island of Talim, where they say there are no houses, so that they will have to live in field tents. I have not written about it to Clemencia because I did not know her address.

TO SIXTO FROM MARIA LOPEZ.

MANILA, January 15, 1902.

DEAR BROTHER: I have not been able to write you these last few days because I felt so badly after so hard a voyage, as Ninay will have written you, and so she had to write for me. I found them all very well, but very unhappy, especially mother, who wept when she saw me, and immediately asked me about you; and when I told her you were sorry to have me go so soon she was even more troubled, for she wanted me to be with you all the time that you were there so that you should not think of coming, although she wants to see you very much. But she was obliged to telegraph for me to come with Consuelo, because it would not do for mother having a responsibility to Consuelo's parents to allow her to come alone. For my part I am very sorry for having left Hongkong while you are still there, and I do not help crying when I remember the days I passed with you. Unfortunately my friend had no consideration for me. I have told them all how good you were to me—how you were always taking me out to walk, and giving me all sorts of pleasures; and mother is very happy about this, for she says you have not changed, and is good to your sisters, as you always were.

I suppose you already know from Ninay's letter that our brothers have been deported to the island of Talim, and we were very sorry we could do nothing for them, for day before yesterday Ninay and I went to the office of General Chaffee to beg him to let them remain as prisoners here in Manila, and we could only see the adjutant, who told us that the General did not wish to interfere in any way with what General Bell was doing in Batangas. So we went away in despair, not knowing what to do; and if I feel worse for either, it is for Lorenza, who is not accustomed to these privations, for they say they have nothing but tents there; and besides, I am sorry for mother, who is always unhappy since she has known of the arrest of our brothers, in spite of the fact that I am always telling her that we ought to be resigned that we are not the only ones who are unfortunate, but that there are many others. I tell her, too, that you think that Clemen can do much toward getting liberty for our brothers, which indeed is our only hope.

Speaking of Clemen, have you received a letter from her? We have received nothing. I suppose by this time she is near Paris. I shall be grateful to you if you will say to the Sra. Gidote that I do not go any more to her house to visit her sisters-in-law, because I learned through Dona Germana de la Lozada that her father-in-law went to visit them when Consuelo arrived, and when he learned that I brought some things for them, he sent the maid of Dona Germana to get them and afterwards I learned through Dona Germana that he did not want to come and get them himself, because he was afraid of our family on account of our situation, and so I had a feeling of delicacy about going to her home.

Good-by. Regards to everybody, especially the Bana family, and you know that I love you and do not forget you.

MARIA

TO SIXTO FROM JULIANA LOPEZ.

MANILA, January 17, 1902.

DEAR BROTHER: Yesterday I received two letters from Andrea, in which she says that everything is doing well in Balayan, and she

not afraid the Americans will insult her, so that we have not insisted that she should come to Manila, for if she did come no one would look after what we have there. They told her to leave the house, but at her request they gave her the *entresol*, and there she has resigned herself to live, and they have let her have our room also, because there were so many things in it that belong only to women, and so they respected it. Pardon me for saying that our enemies and those who are jealous of us are glad of all that is happening to us, and not content with that, are improving the opportunity to accuse us of all sorts of things which are false, so that we may be ruined, and our poor people with us, who have committed no other fault than that of being loyal to us.

So that you may see the baseness with which we are treated, I will tell you that three of our superintendents, in whom Lorenzo had absolute confidence and to whom we owe favors that grateful hearts can never forget, are imprisoned in Balayan because they are, as those who denounced them say, the keepers of the 50 guns to which General Bell referred in his telegram to Captain Curry and which I told you about in my previous letter. From this telegram we infer, then, that Captain Cheever of the Sixth Cavalry, and commander in Balayan for the last six months, is the author of the arrest of our brothers, incited by Ramirez and company through their denunciations, without any proofs that would justify their course. Besides, Andrea says that the report got about in Balayan that you had come at last, frightened by the arrest of our brothers, to take the oath of allegiance, and this story was set rolling by the miserable *Viving*,* whom I suppose you will remember as following his deceased father's footsteps (*requiescat in pace*), as we are informed. I forgot to tell you that some days ago we received a letter from Mr. Warren, from Singapore, telling us how well the journey was going, and that they were going ashore so that Clemen might see her friends. . . . does not wish that I should send you letters any more through him, so that I shall always address you in the way that you know, and my address is . . .

Tell me, what do you hear from Clemen? I warn you that Mariano is very much afraid that you may compromise him and he commissioned me to say, although you do not really say anything that can compromise us, to write about nothing but family matters. So now you know. He does not wish it known yet that Clemen has gone on business, but only to amuse herself in Paris, although many of our American friends imagine that she will continue her journey to your second country, of which they are very glad, and they urge me to tell them if she is going, so that they may write to their families to visit her and look after her. I will not write any more, for this letter is so full of blunders that I am afraid you will not understand it. Good bye.

Faithfully,

NINAY.

TO CLEMENCIA FROM JULIANA LOPEZ.

MANILA, *December 21, 1898.*

DEAR CLEMEN: You can not imagine how I felt when I read your letters written on board a steamer on the way to Europe. I received

*Dr. A. Venancio Ramos.

them on the 20th in the afternoon, and the more I read the more distressed I was, for I was convinced that you were very far from us, in a strange country, and so I could not help crying all the time reading your letters. We are just as unhappy as we were when left Hongkong, for our poor brothers are still prisoners, and worse, a week ago they were deported to the island of Talim (Laguna de Bay). On the 31st of last month they were put into the hold of the *Legaspi* and after two days they were transferred to the transport *Liscum* where they were for about two weeks, more or less, and were fairly well treated, since they did not put them in the stocks as they did on the other steamer. They let us go visit them and give them everything they need, and let us stay in company with them as long as we choose.

The first time that Charing and I went to visit our brothers we went with Captain Curry, who is as kind as ever, in the launch of the harbor tain of the port, who is a friend of Manuel's. When he knew it was his sister he offered us his launch to go out in the bay to where the *Liscum* was anchored. We have been several times, sometimes accompanied by Carlos and other times alone or with Mariano. Many prisoners have come with them, and among those that we know are Felix U. ———, Babasa and his son from Batangas, Martin, Mariano the lawyer, and the old man from Taal, who came with us when we went to Calapan. My brothers told me they were better off on the ship than in the prison of Batangas, for besides the fact that they were given nothing but rice and salt for three weeks, they had to sleep on the tiles and were given no beds; so that when we saw Lorenzo was very weak from having been sick with dysentery, and he would have died there if they had not taken him away. Fortunately for them the company which guards the prisoners on board are humane, from the captain to the last soldier, so that they have no complaint to make of them. Besides, the captain and the second lieutenant of this company are friends of Carlos, and our brothers go well recommended to their care by him.

When we went out there they received us well, especially the lieutenant, who has been to call upon us here at the house, offering to do everything in his power to lessen the sufferings of our brothers and to give them everything that they need. As you will understand, I was very glad, and you would have been, too, if you could know these gentlemen who are the ones who go with them to the island of Talim. The thing that troubles me is that in that wild place there is no building since it is a very small island, and they say that they live in tents, but that they are going to build houses for the prisoners. At present while we have not yet decided to go to see them, since many of our friends have advised us not to go, we send things by the captain of the steamer which goes to that island three times a week, and we have included a letter for some one of the officers there, who, as I told you, have offered to help us.

We tried very hard to have them kept as prisoners here in Manila so much so that we begged Captain Curry to become responsible for them and keep them in his house, to which he agreed very willingly, and immediately sent a telegram to Bell, who answered that he could not possibly give them either liberty or such privileges; and Cipriano has failed to give in 50 guns when he surrendered, so that our brothers would not be set at liberty until he did give them up, and

seemed to him a good thing and of great service to the government that Manuel and Lorenzo should also remain prisoners to be company for Cipriano who, according to Bell, will be a prisoner until his hair is white; and finally that neither would he give them their liberty until Sixto should come and take the oath of allegiance and help the Government of the United States to pacify the provinces of Batangas and Laguna and the island of Samar. How can I say what passed in my mind when I read the telegram? I would not have believed that those who had called themselves our friends in Balayan had been so false, for you must know that the superintendents at Dao, Matayunao, and Toong are also arrested.

As you will remember, the latter was assaulted by robbers and outlaws last year, in October, who took from him all he had; cattle, clothes, rice, and even his children, and if these superintendents had been the guardians for those guns, the superintendent of Dao would have been able to defend himself and kill those outlaws who took away his wife and children. For this reason none of us believe that Captain Cole has defended us at all, and we expect even less from Captain Cheever. We have suffered much from the cowardice of the former. Two days ago Raymond was here, and came to see us the first day after his arrival, and you who know us so well can imagine what we said to him when we saw him. He is very much ashamed, excusing the others for the arrest of our brothers, for I told him that if we had for a moment imagined that the Americans suspected our family, we should not have continued to live in Balayan during such a time, receiving them in our house like real friends, but should have gone away from there and been on the watch, but as they were apparently so kind, we did not think of any danger while we were doing nothing against them. Andrea has written me three letters, which I have received through some soldiers who have come. She told me in her letter that they sent for her to leave the house so that the soldiers could occupy it.

At first she did not want to go, but she understood that she could do nothing against superior force. Still, when she invoked the Constitution of America, they gave up to her our room and the outresol, and there she is now living alone with Emilio, and God grant that they may keep well and not be insulted. I have written her several times to come here, but she replied that, in the first place, on account of her health, which suffers in the climate of Manila, she thinks best not to come, and also so as not to leave our poor people, who are all in the town, and other matters that no one else would look after. Your garden and flowers are well looked after, according to Raymond. It is two weeks now since Quita came with Consuelo, who was so anxious to come, even alone, on account of a telegram which she received from her parents, who feared a scandal when they received a telegram from Consuelo that you had gone to Europe.

Believe me, Clemen, that night when Germana came to read me the telegram from her daughter, I could not sleep, for we did not know that you had gone and had not then received any letter from you. I could not sleep, not only because they let you go, but also because of my resentment toward Dona Germana, who, knowing what had happened to us, still remained cross to you. Accordingly, the next day I telegraphed Quita to come at once, although we wanted her to stay here as long as she wished. But Germana, ever since she was

received your letter from Singapore, has felt toward you as before. She and her husband, like many others, disapprove of your going, saying that what your brother has done is barbarous, for they say that as soon as the authorities find out that you have gone they will revenge themselves on us. At first Mariano thought the same, but seeing his own ill success, he has approved. Mother, who has been told all, is very willing. Good-bye; regards to Mr. Warren and all his family, and I send you a kiss.

NINAY.

PROPOSED REPLY OF MARIANO LOPEZ TO CHARGES OF MANUEL RAMIREZ.*

I, a representative of the province of Batangas in the congress of Malolos, having never been in favor of the war of my country against America, declared this at the first outbreak of hostilities between the Americans and the Filipinos, before General Otis, together with Drs. Bourne and Pardo de Tavera; and because I wished that my province should lay down its arms I offered my services to the said general, asking for a pass, so that I might go there and work toward that end. In fact, he granted my request; but when I arrived in the provinces I found the military element so preponderant that I could not immediately further my purpose without danger to my life, except gradually and when special occasion offered, as will be seen by my subsequent actions.

At the time of the capture and military occupation of my town of Balayan, by the Twenty-eighth Volunteers under the orders of Major Taggart, I persuaded the people who were scattered about through the outlying districts and the mountains to return to their homes and recognize American sovereignty. I had then already tried to persuade my brother, Colonel Cipriano, to surrender to the American Government with all his forces, but did not succeed because of his sense of honor.

Some months after that, when good feeling had been established between the town and the American forces, I came to Manila to look after my interests, and there, when the Federal party was formed, affiliated myself with it, was nominated a delegate of this party, and organized committees for it in Balayan and Calaca.

As at this time I was nearing the conclusion of my work in the towns mentioned, I knew that very soon General Trias, the superior officer of my brother Cipriano, would surrender. I urged the latter to do the same, and, with the aid of my stepmother and brother, finally obtained his surrender and that of all his troops, together with their arms and ammunition. This took place on the 11th of March of this year before Captain Bullard, of the Thirty-ninth Volunteers, stationed at Balayan.

At the request of the same Colonel Bullard, on the 2d of April of the same year, I was commissioned by the military government to persuade General Malvar to become loyal, and although I have not accomplished this, I have in its place succeeded in persuading Generals Katigbak and Colonel Kalao to surrender with their forces to the commanding officer in Lipa.

* Written probably in January, 1902.

In the same way, for Colonel Bullard, I contributed to the surrender of General Cailles.

Since the surrender of my brother with his troops the peace in my town of Balayan has not been disturbed in the least degree, and being desirous to consolidate this state of affairs, I urged and obtained from the military government the holding of municipal elections on the 29th of last September, basing my action upon the peace which the town enjoyed.

Being defeated at the election, Señor Manuel Ramirez laid a written protest before the provincial council of Batangas, not questioning the legality of the elections, but attacking me and my brothers, accusing us of having close relations with General Malvar because of our old friendship for him, and because of the acts of our brother Sixto, who has lived abroad nearly ten years. As was to be expected, the provincial council has disregarded this protest, deciding that the elections were properly held in accordance with the municipal code. I, in my turn, in view of this protest, which contained also false and infamous accusations, could do no less than protest against it in writing to General Wade and General Chaffee.

In the middle of last October I received word from Hongkong from my brother Sixto that a friend of his, Mr. Warren, was coming to the Philippines, and that, because of the favors he owed this gentleman and his family in America, he charged me to receive and entertain him in my house, the invitation having already been given and accepted. As I was pledged to do, I received this gentleman in my house. While matters stood thus, and as I and my brothers knew that my brother Sixto was in Hongkong and desirous to return home, we entered into correspondence with him, telling him of the actual situation of the country, the necessity for pacifying it, and the bad opinion which the authorities held of him as an agitator for the war against America. That this is the truth I can prove by the letter which my brother Sixto wrote me in answer, and which I keep. In the letter he assures me he has never been in favor of the war, and that he would offer himself to the Government to aid in pacifying the country, provided they would not oblige him to take the oath on his arrival, so that he might not lose his influence over Malvar and Lukban.

My sisters, Clemencia and Maria, went to Hongkong to urge my brother Sixto to become loyal. The chief of police, Mr. Curry, knows this, and offered to transmit the information to the civil governor-general.

Of my three brothers, now prisoners in Batangas, Manuel was found in Beac, island of Marinduque, with our steamer *Parisina Concepcion*, and from there was taken to Batangas. Lorenzo and Cipriano were found and arrested in Balayan and sent to Batangas. I am deeply distressed that I advised them before the closing of the ports not to leave there, so that in case insurgents from other districts, pursued by the American forces, should approach that locality they might give convenient warning to the detachment stationed there and fight with them.

FROM JULIANA TO SIXTO LOPEZ AT HONGKONG.

MANILA, *January 27, 1898.*

DEAR BROTHER: I am much astonished at what you say in your letter of the 17th, which I received this morning, that you have had no

news from us, for both Mariano and I wrote you often, telling you all that occurred to our family. You should know that we direct everything that we write to Mr. ———, so that he in turn may give them to Mr. ———, since ——— told me that I should send to you in that way, and that you had agreed to it, so you can ask ——— about them, and if they have not gone astray he will give you at least six of my letters.

I will go back to those persons whom you mention in your letter. Lorenzol Manuel and Cipriano were deported to the island of Talim about a week ago, simply because it was thought that Cipriano had failed to give in 50 guns when he surrendered, and they will not be liberated until they are brought in; and it is further added that in order to do a great service to the Government of the United States they think it desirable that his two brothers accompany him in this exile. All this appears in a telegram from Bell in answer to one that a friend sent him begging him to be more kind to the three prisoners. We have done and are doing everything possible so that they shall not suffer much, but, as you will understand, we are very much afflicted by these false accusations, for if Bell really believes this, what shall we do and how shall we get so many guns, seeing that we have already given them all up? Believe me, we are in despair, because they will pay no attention to the explanations we make, but on the contrary they listen to and believe our enemies, who do not weary of seeking false accusations, so that only God knows when these calamities will end.

We all believe that Bell was influenced, as Colonel Bullard was not, by a copy of a biography of Cipriano which was captured from a Nationalist officer, and which states that Cipriano had a well-organized battalion which had 400 guns, and that he had been raised to the rank of lieutenant-colonel because of the services which he had rendered, and because his family had lost \$600,000 in the insurrection of 1896. This capture was before the surrender of Cipriano. This biography General Malvar sent to Cipriano to flatter him, for it exaggerated in saying that Cipriano had so many guns and other things. Therefore, when he surrendered, although these guns were demanded of him, Bullard had to be satisfied with these explanations, that Malvar exaggerated, since this biography was to be published in *Filipinas ante Europa*. Besides, when Cipriano surrendered, he did not wish to answer for the surrender of his companions, but only for himself, and notwithstanding, as Bullard and Gale, of the Fourth Cavalry begged his help and influence in overcoming those who still remained in the field, he agreed to help them and succeeded in pacifying all the territory which was under his command.

According to letters from Andrea, she is still in good health and complains of no discourtesy on the part of the Americans. For about a week, since the surrender of the Taals, the reconcentrados outside the town have been allowed to come into the town to work and to harvest the rice in the lowlands, which, as you will remember, is cut at this season, and also the grinding of the sugar has begun in Himalas and Caybunga, where there is a good deal of cane. I do not know whether this is true, as stated by an official who has just come from there. But Andrea tells me the same thing in her letters, and therefore I believe it to be a fact. We are not at all displeased, least of all mother, by Clemen's departure. On the contrary, the idea that she

accomplish there what we can not here consoles us much, and there-
do not be disturbed about that.

, to * * *

ie steamer voyages only between the ports of Batangas, and I was
aken when I told you that the crew had been taken prisoners, for
go with the boat and receive the same wages. That is not so

Forgive me for writing to you in this way, but I have such a
ache that I can not see clearly what I am writing, and I only do
that you shall not accuse me of indolence. * * *

Your most affectionate

NINAY (JULIANA).

MARIA (ÆT. 17) TO SIXTO LOPEZ (AT HONGKONG).

MANILA, *January 22, 1902.*

EAR BROTHER: To-day we have received your letter dated the 17th,
we are much troubled at your saying you have received no letters
us since I left there, for Ninay has written to you at least five or
times since I arrived here, inclosing you \$200; but Ninay will
ain to you why you have not received them.

your letter you advise me to practice on the piano, and I am sorry
n not please you, but our piano is in Balayan, and the one we
erly had was a rented one, and as soon as Ninay knew of the arrest
ir brothers and the seizure of our goods, she had it sent back at
, because she said she was not in the mood for playing, and besides
is costing us \$12 a month and that is too much luxury for us in
days. At last we have received a letter from Clemen written on
d the steamer. She says that she is well and hardly seasick at all.
were much concerned about that.

you still have the pictures of our group, I would like to have you
me some, for some of our friends would like to have them, but
ot send them by post. Mother wants to know why I did not have
picture taken with you, and in the dress which I wore there, for
y friends have said they would have liked to see me in European
ies; but I told them that I never let myself be seen in them, but
ys wore a cloak. I inclose in this a \$5 bill which I have just
umbered to send you, and, if you can, send us fruits, such as
es, China oranges, and chestnuts, to send our brothers. Do not
us much.

Yours,

MARIA.

JULIANA TO SIXTO LOPEZ (AT HONGKONG).

MANILA, *January 23, 1902.*

EAR BROTHER: This is the seventh letter which I have written you,
when you receive this I suppose you will have received my pre-
s ones. Our situation remains the same; our brothers deported
ie island of Talim and our goods confiscated. We have just come
the headquarters of the Department of the North to see General
aton and ask for a pass to visit the prisoners, but unfortunately
as not there, nor his adjutant either, and his interpreter told us
he doubted whether a pass would be granted us, for General

Wheaton does not wish to interfere in questions which refer to Batangas, and that the only person with whom to deal was Bell. But, on the other hand, we did not wish to deal with this gentleman, because, from what we had been told, we were afraid to go to Batangas and expose ourselves to whatever treatment he might give us.

From the statement which I inclose you will see that Bell has a good opinion of Mariano, for this is the answer to the statement which the latter sent him recounting his services for the United States with the aid of Lorenzo and Cipriano when he succeeded in pacifying the western towns of Laguna de Taal, bringing about the surrender of many who remained in the field. We do not know what to do; neither do we know about our brothers who were taken away nine days ago. Good news from Andrea. As you will learn from this statement, Bell did not clear up the question of our brothers, although in his statement Mariano said that except through their influence nothing would have been accomplished. Everything is quiet in Balayan and there have been no combats nor anything else.

Yours,

NINAY (JULIANA).

JULIANA TO SIXTO LOPEZ (AT HONGKONG.)

MANILA, *January 30, 1902.*

DEAR BROTHER: We have finally found a friend by whom to send you this letter, for I am afraid you have not received my previous ones and that they are really lost. Some of these letters I sent you under the name of ——— in the house of ———, and the last two to ——— to give to Clemen and Mariquita, and you would understand that they were mine to you, as it would be absurd to suppose that they were for those to whom they were addressed, seeing that I know perfectly well that the former has gone far away and that the other has been here for weeks. The truth is, I do not know under what address to write you, for if I use your own name, which is as well known here as mine in Balayan, I am afraid that it would be sufficient reason for arresting me, because I was in communication with an insurgent, as they call you. Since Mariquita arrived I have received no letter from you except one dated the 17th, and as you will understand, I am impatient to know some things about which I asked you * * *.

I still have your letter to ———. What shall I do with it? Tell me also whether I shall send it by post, now that I can find no one who is willing to take the responsibility of delivering it. From the last news from Balayan I know that the town continues tranquil, as always; nevertheless, they are continuing to arrest our superintendents to force them to produce the imaginary guns which they say they are keeping. As is natural, the poor things deny everything, for, indeed, they do not know what guns are spoken of, and for this reason they (the Americans) are torturing them, giving them thousands of blows, whipping and beating them, so that finally one of them died — the Americans and Macabebes beat him so much. He was called Isabel and was the superintendent at Calan. It has amazed me that they should have taken such measures, considering that they are so civilized a nation and boast all over the world wherever they go of their humane acts.

The death of our superintendent has saddened us very much, all the more because he was one of those in whom our brothers had confidence, and we all liked him. When I heard this news I could not sleep all night for thinking that perhaps this unfortunate man was a martyr, because he did not wish to say anything against us, and so they killed him. On the other hand, the wife of the superintendent at Dao, whose husband was also imprisoned, sought some way of liberating him, and, nobody knows how, got hold of three guns with which to buy the freedom of her husband, and surrendered them, but they would not give him his freedom for that, but, on the contrary, demanded more and more, and his situation was all the worse. I can not tell you about this in detail yet, for I have not yet received a letter from Andrea. The prisoners continue in good health, as well as the rest of us here. Good-bye.

NINAY (JULIANA).

MARIA TO SIXTO LOPEZ (AT HONGKONG).

MANILA, *January 30, 1902.*

DEAR BROTHER: We have received no letter from you, except one, since I arrived here, and that was dated the 17th, and we were much puzzled at not receiving another telling us whether you have yet received all our letters. The last one we wrote you was directed to Don. . . . to give to the Señoritas Clemencia and Maria, and I don't know whether he has given them to you. This occurred to us because we did not know any more to whom to direct them so that you might receive them promptly. We directed the others to the house of Don ———, with the name of

Concerning our brothers, I can tell you nothing more than that they are well, and I believe that all the time the authorities have less and less any idea of giving them their liberty; for they say that Cipriano failed to surrender 50 guns, and they have arrested 4 of our most trusted superintendents, demanding from them the 50 guns, and as they have not them to give, they are torturing them a great deal, so much that 1 of them has died.

Mariano continues working for them, but he accomplishes nothing, for they tell him that everything depends upon General Bell. I am sorry for all this on mother's account, for you can not imagine how it makes me despair to see her weep. I fear everything for her, for she spends whole days weeping, thinking of our brothers, and that, as you know, may do her much harm at her age. We thought of asking for a pass this week so that we could visit them in the island of Talim, only that mother might be convinced that they are well and be more contented, but friends have advised us that we ought not to go there, seeing that there are no houses, and the boat only goes once a week.

I do not know whether I can send you this letter by Dr. They say that he is the doctor of the steamer. We ourselves will go to his house and beg him to deliver this letter, and at the same time ask how you are. His wife is a friend of ours, and though it may compromise him he will take you this letter. I am not telling you about things, because Ninay is writing to you also, and she can do it much better than I; at the last moment she decided to write to you, for she has been writing to Clemen.

A soldier from Balayan, a friend of Macaria, who goes back to America to-morrow, offered to take this letter to Clemen; he says he belongs in Boston. Ninay accepted his offer with pleasure, for she fears that Clemen does not receive her letters by post. We have now received letters from her, one from Singapore and another from Penang. She tells us how delightful it is to travel, and that if she did not always remember her brothers she would consider herself very happy. I do hope that when you receive this you will be in good health, as we all are, thank God. Regards to everybody, and remember that you are loved and not forgotten by

Your sister,

MARIA.

SIXTO LOPEZ TO FISKE WARREN.

FEBRUARY 4, 1902.

The following is a copy of the letter which I suggested to Mariano he should send to General Chaffee:

GENERAL: I have the honor to inclose herewith a copy of the opinions expressed by Major-Generals Bell and Wheaton in reference to me personally. In view of the favorable nature of their opinions, and in view of the fact that by my instrumentality my brother Cipriano was induced to surrender, I beg to make the following statement:

I can not claim to be in possession of all the evidence upon which General Bell has founded the charge against my brother, Cipriano, of having secreted 50 rifles at the time of his surrender. But as one who knows the Filipinos, and whose family has been subjected to secret false denunciation by political opponents, I beg to submit, with proper respect for the judgment of General Bell, that such evidence as has come to my knowledge is inadequate to support the charge; and that, knowing my brother better than he can possibly be known by General Bell, and knowing also all the circumstances of his surrender, I have no hesitation in saying that I believe the charge to be utterly unfounded.

In making this statement I am mindful of the reputation for truthfulness to which Generals Bell and Wheaton have been good enough to testify, and which I hope ever to retain.

Respectfully, yours,

MARIANO LOPEZ

I do not know as yet whether Mariano has adopted the suggestion, but if he does, I will let you know as soon as I receive intimation.

The idea is to present the opinion of one who is not only in a position to know, but who has been highly accredited by the very man who makes the charge against Cipriano. This will tend to discredit or weaken the evidence upon which General Bell founds the charge, and which, of necessity, must be of a flimsy nature.

SIXTO LOPEZ

The following letter, though of more ancient date, is added, because it refers to a previous case where one of the brothers at present in prison was arrested and imprisoned by the same officer:

MANILA, *March 11, 1897.*

MY DEAR BROTHER SIXTO: It is a month since we had the great pleasure of receiving your letter after not having heard from you for so long, except through Jose, who never neglected to give us news about you.

We were very glad to hear that you are getting on splendidly, and especially for the hearty welcome rendered you by the many friends

Believe me, we were very much afraid that something unpleasant might happen to you when we knew that you had gone to America.

We are all extremely indebted to Mrs. Warren, who, as you know, has been so kind to you, and for the favors and attentions you owe her. I am now writing to her also, and sending a small remembrance consisting of a little embroidered pina handkerchief. I have got ready a Filipino costume to send her, but as yet I have had no opportunity of doing so. But I shall endeavor, if some of the American officers, who are friends of ours, are going home at the end of this month, to send it if they will do us the favor of carrying a parcel for us.

You will tell Mrs. Warren that we are all, especially mother, gratefully indebted to her and her family for all her kindness. Mother has not yet received the souvenir, but she sends many thanks, and we ought to receive it soon if you sent it to Losada, because he is coming from Hongkong in a few days. His wife and daughter have already been back for more than a month.

Mother has already received a very charming letter from a lady of Boston named Mrs. Elizabeth G. Evans, telling that she had become acquainted with you and speaking very well of you. Ninay^a is going to reply in English, but she is still in Balayan, only Mariquita and myself having come here.^b

Do not be surprised that I am only now replying to your letter, which was received one month ago, because it is only within the last few days that we have had breathing time, as Manuel was put in prison a few days after my arrival here and has been kept in prison for nearly a month. The reason is, the monks are turning again to their wickedness. They are taking revenge upon everyone and are disturbing the whole country.

The reason of Manuel's imprisonment was because 15 bullocks were brought from our pasture ground in Mindoro,^c and the monks claimed our cattle ranch in Magaring.^d They were branded with our brand, which, no doubt, you will not have forgotten; it is this: . . . But they^e insisted that we had erased this brand, yet there was no sign or evidence at all of such work. But we suffered great pain because they^f would not believe us, but accepted the word of the monks. After a long time the provost, General Bell, went himself to examine the brands and then gave the verdict to us, but not without threatening to put Lorenzo also into prison if the cattle should not prove to be ours.

On the other hand, when the cattle were declared to be ours, nothing was done to the monks who denounced and had Manuel imprisoned. You will readily see that we can not understand the justice of these things. And afterwards, do you know what happened? They kept Manuel in prison two weeks longer. As they did not succeed in their intention to seize our cattle, they^g changed the accusation into a political one, stating that we were selling cattle in order to support the revolutionaries. And so, without any investigation of any kind, the authorities were going to keep Manuel in the Santiago prison until God knows when—where there are more than 3,000 prisoners, the most of these^h by denunciation without any evidence. But Colonel Bullard,

^a My sister Juliana.

^b Manila.

^c North

^d A town in South Mindoro.

^e The monks.

^f American authorities.

^g The monks.

the chief of Battalion Thirty-eight, who is now in Balayan, pleaded for the release of Manuel and supported us in our evidence that he never interfered in politics.

Here there were more than 10,000 political prisoners, and I do not know how many have been deported to Guam and Olangapo. The half of these prisoners are captured or surrendered soldiers; the other half are imprisoned on suspicion or by denunciation of the enemy, many by the work of the monks. I do not know why the monks have succeeded in having the influence again as they had during the Spanish Government. Believe me, the provincial people are trembling with fear and hatred because it is said that the monks are going to be reinstated in the parish churches, and no one favors them here in the Philippines.

I am afraid if this happens the monks themselves will suffer from the just wrath of the people. They are now doing the same mischief they did during the Spanish Government, and are paying agents to denounce the Filipinos as of old. Consequently many have fallen victims and are now in prison. Could not the United States Government order them to leave the country? Because every one believes that if they remain here peace will never be attained.

You will know through the papers that some time ago the federal party was organized in Manila and the provinces for the purpose of obtaining peace. Many of the revolutionaries are surrendering arms: some Filipino generals have already surrendered, and General Trias will do so in a few days. Nothing has been heard of Aguinaldo or Malvar* but most of the Batangas provinces will soon surrender, including Cipriano, because they believe that further resistance is impossible at present. They are short of every necessary, and for the sake of Cipriano I am glad, because he is always ill with fever and gastritis.

Lorenzo will go to Balayan next Thursday to see the organization of the federal party there.

What are you doing in America? If you are still working for our independence, I fear it is far from being granted, especially as most of the Filipinos, and the most enlightened, are already agreeing with the Government of the United States; so that if you are to be the only one that will work it is useless.

The people in Hongkong^b are coming home.^c

If you know any of the American generals who are going to release those who are now here it would be an advantage if we could be introduced, least something else happens in the future.

It is certain that the monks desire to take revenge upon us at all cost and wish to seize the whole of our cattle at Abra de Hog, a number from 1,800 to 2,000 head. Their cattle in Mangaring^d have, it is said, been reduced to half their number during the last two years by the people of Cavite and Batangas, and so the monks are furious and want to seize all the cattle on the Island of Mindoro. The ports of Mindoro are closed, but we are sure that the monks are working every means to seize, as soon as the ports are reopened, all the cattle on the island, or, at any rate, those belonging to us.

* Of Batangas.

^b Not the committee.

^c See end of letter.

^d Mindoro.

^e South Mindoro.

You will be surprised to learn how our cattle were conveyed from Mindoro, the ports of the latter being closed. They were taken in *parcados*^a by the Baun people under the authority of the American officers stationed there.^b

In Balayan, until recently, things have been very quiet, as the Twenty-ninth and Thirty-ninth battalions have behaved very well toward the people, and especially to our family. But a few days ago some leading people were arrested, among them our friends M. Laines, B. Afable, Pascual Ramos, and some others, for the Americans seized some papers which are supposed to give suspicion of communication with the revolutionaries. Lorenzo has proposed to defend them, but I do not know whether he will succeed in getting them released.

Thank God we are treated with the greatest consideration by the American officers, notwithstanding that they know well-- for we have told them frankly that we have a brother a major in the revolutionary army, and some of them have become friends of ours. One of them is an officer of infantry of the Twenty-eighth, named Charles Rodman Jones, who has been friendly to us. He is from Philadelphia, and his father bears the same Christian name. He has two very pretty sisters, whose photographs he has shown us. According to his brother officers he belongs to a very good and wealthy family in his city. I should be glad if you could become known to his family. He is now in Mindamo with his regiment, but they are soon coming back here in order to return home^c as retired soldiers. Of this friend I can ask a small favor, when he is leaving, to carry the little present to Mrs. Warren, and no doubt he will do so with pleasure.

By next mail I am going to send you our photographs, which you may show to your friends who might like to see them. I hope you will be able to send their photographs to us in order that we may know them. And send us also one of your recent photographs. The one in the group with Agoncillo was seen by several Americans; we showed it to them when they spoke of you, for they sometimes receive newspapers from America containing your portrait. I believe they treated us better when they knew that we had a brother in their country.

Jose writes us very often; almost by every mail. In his last he mentions his desire to leave the college where he now is, because he thinks it is too expensive. You will decide what seems to you best. But, as for us, though it really is expensive, and although we are not doing well in business, we agree to his continuing if he can learn better there. Last year we raised almost nothing,^d because, as you will know, our animals in the field have died of rinderpest. The steamer used to make some money, but last month it sustained serious damage and is now being repaired at a cost of \$3,200.^e

I hope, if peace is definitely declared, we may again have the plantation working, taking animals from Mindoro. Do you know if the steam plow is satisfactory in America? Mother and Lorenzo at first intended to ask you to get one, but no one in this country has adopted it yet and they would like to make sure if it works well and gives good results. Because, as time goes on, the animals are get-

^a Small vessels holding only two bullocks.

^b Bantangas.

^c On the plantations.

^d Mexican.

^e To America.

ting scarcer, the rinderpest having made great havoc in Camarines and Masbate.

When you write again tell me how long you will remain in America. Mother already desires very much to see you, as you will understand, but she does not tell us to tell you to come home. She agrees to your remaining if you can do much good for our unfortunate country. You must consider [the matter] well. If in the end you can not attain anything, and especially if you have to work by yourself, it would be better for you to give up that life, which, I am afraid, may bear no fruit but unpleasantness; and her desire, in that case, is that you undertake some business in which you can earn something. Lorenzo agrees with you—that you continue the work for the cause—and, although at great sacrifice, he will endeavor to send you what you may ask of him.

I am going to end this letter by inclosing another and a little handkerchief for that good woman, but I do not know whether she will like it. Present to her our salutations.

I hope you are well, as we are here. This letter will be addressed to Mrs. Warren in order to avoid failure to reach you.

Affectionate regards from all, and you know that you are beloved and not forgotten by your sister.

CLEMENCIA

FROM SIXTO LOPEZ.

HONGKONG, *January 15. 1902.*

Maj. Gen. ADNA R. CHAFFEE,

Military Commander of the Philippine Islands, Manila.

GENERAL: I have heard from private sources of the arrest and imprisonment of my three brothers, Lorenzo, Cipriano, and Manuel Lopez, and I am naturally anxious on their behalf. But from various reports which have reached me, I am specially anxious about Lorenzo, who has always been very delicate, and who, I fear, will suffer seriously if subjected to even the ordinary hardships of prison discipline. I should therefore be much indebted to you if you would, on ground of humanity alone, kindly instruct one of your staff to give me any information available in reference to Lorenzo's health, and the conditions under which he will be compelled to remain.

If not inconsistent with your authority and duty I should be glad to know, also, the reason of my brothers' arrest and the seizure of our family's property.

In the event of your finding it impossible to convey any or all of this information to me direct, perhaps you would be good enough to furnish it to the American consul here in Hongkong, who would, no doubt, inform me unofficially of its nature.

I have the honor to be, General, your obedient servant,

SIXTO LOPEZ.

FROM JULIANA TO CLEMENCIA LOPEZ.

MANILA, P. I., *January 29. 1902*

DEAREST CLEMEN: This is the second letter which I have written you in answer to the two you sent me from Singapore and Penang.

and which I received a little while ago, together with a letter from our very good friend. We are very happy over the news and the impressions of your journey which you sent us, and are grateful to the passengers who went with you for the kindness which they showed you. It has lessened the sadness with which we are all weighed down to know that you are well and resigned. As for us, thank God, we all continue in good health, especially mother, who, in spite of the gravity of our situation, is resigned, as are our three imprisoned brothers. They were deported to the island of Talim with a number of others from the province of Batangas. You can see how changed the Americans are toward our family, for the other day we went to ask for a pass to visit our brothers.

The island is not more than five or at least six hours' journey from Manila, but they would not grant us the pass, giving as an excuse that they could not interfere in matters concerning which only Bell could decide. We go continually from bad to worse. We get news from Balayan that, in spite of its tranquillity and peaceful attitude, they continue to arrest all those whom they believe have guns. In my previous letter I told you that several of our superintendents were imprisoned, as they were believed to be the guardians of the fifty guns which it was supposed Cipriano failed to present when he surrendered. As you know, there are not and can not be any proofs of these accusations. Simply because of denunciations they have been imprisoned up to the present time and will continue so. At the same time, not only are they imprisoned, but they are subjected to all kinds of torture, so that finally one of them, poor Isabelo (may his soul rest in peace), the superintendent of Catán, succumbed and died from the effect of all the blows and beatings which were given him to make him produce the guns.

Seeing this, Emiliama, wife of Gregorio* (who denied the existence of these guns) managed in some way, I know not how, to get hold of three guns, which she surrendered to obtain the liberation of her husband. Indeed, we were utterly puzzled as to where this woman could have obtained them, and instead of bettering her unhappy condition she has only made it worse.

As for Andrea, she is well and occupies the entresol of the house, as the upper rooms are occupied by the soldiers. They have offered to give her a pass to come to Manila, but she does not wish to do so, as she does not wish to leave everything in the hands of others. They have also asked her about the guns, and finally they asked her to help find them, and you can imagine what she answered them. You ask me about our supposed friends in Balayan. What a disillusion! It seems that they only called themselves friends so that they might injure us afterwards. Here in Manila astonishment is expressed that they have not been able to defend us, for if they had done so our brothers would not be where they are. The only one who seems really to be our friend and who is sorry for what has happened is Lieutenant Raymond, but the others up to the present time still continue the work of injuring us.

For my part I feel a great deal of resentment toward them, and I do not believe that any reconciliation will be possible between us and them. Believe me, Clemen, if we did not hope for good results from your efforts there, we should die of sorrow. Therefore, in spite of the fact

*Another superintendent.

that many disapprove of your going, I am convinced that you will accomplish there what we have not been able to accomplish here. I beg of you do not show this letter to anyone, even to our friend, for it is disgraceful. I send it to you by a friend of Macaria's who belongs in Boston and who starts to-morrow for the United States; therefore I write you in haste. Tell our friend that some other day I will write telling him many things.

Regards from everybody and a kiss from

NIRAY.

FROM MARIQUITA TO CLEMENCIA LOPEZ.

MANILA, February 6, 1902.

DEAR CLEMEN: Forgive me that I have not written to you until now, but you know how hard it is for me to write and how idle I am; all the more because I have no good news to tell you, for our poor brothers are still prisoners. We realize more and more the gravity of our situation, for everybody to whom we apply for the liberty of our brothers makes us promises at first but afterwards tell us that they can do nothing; and this has just happened to us once more. The private secretary of General Chaffee, who promised us so much, and even set the day when our brothers should be freed, is discouraged now that he has talked with General Bell.

Mr. Curry, our best friend, also talked with him, but without result, since he demands an impossibility—that first the 50 guns should be surrendered which Panong^a failed to present when he surrendered. We are in despair. Yesterday we received a letter from our brothers, and they say they are very badly off, for they spend the day in the sun, acting as overseers to the other prisoners, and they are given very bad food and little of it. They are treated as if they were criminals. The man who brought us the letter had to talk with them on the sly, for they say that they are very closely watched. Poor Yto!^b I feel the worst on his account, and we do not know what to do. When we went to the offices of Generals Chaffee and Wheaton, where we only succeeded in speaking with the adjutants, we always got the same answer—that these generals did not wish to interfere with the affairs of Bell in Batangas. What outrage. I never want to see them again; I hate them all. Four days ago we sent our brothers canned food and some other things which they needed, such as beds to sleep in, thanks to a soldier who promised to take them.

We do not send them money, for they are not allowed to have any. What they had with them when they were arrested was taken from them. Now more than ever we are glad that you went to America, for now we have seen that indeed there is no justice here. God grant that you obtain it there, for you are our only hope. What evil days, Clemen, we have passed and are passing through now, and how much we think of you.

I suppose that now you are still thinking I am in Hongkong, when you left me, but I have been here a month. I came with Concha. She was so bound to come that I had to accompany her very much against my will. Some days after you left Hongkong Concha

^a Cipriano.

^b Lorenzo.

received a letter from her father telling her to come at once, for that it was very probable that you and I would go away on account of the actual situation of our family; and I imagine that she did not like her school, for she answered by telegram that you had gone and that she would come back alone if they would permit. You can imagine how frightened her parents were, and the rest of the family, for they had not yet received our letters and believed that we had left her in Hongkong, and that I had gone with you. Her parents were very indignant, and replied at once, telling her to embark in the first steamer, even if she came alone.

Mother, who was fairly overpowered by such news, telegraphed to Don Vicente, asking him if it was true that we had gone to Europe, for she had believed that it was only a project. He replied that you were the only one who had gone, and that you were already in Singapore. Sixto was very angry that Consuelo had telegraphed without first consulting him, for he thought that her people would be alarmed, and was afraid that mother would be very angry with him, as indeed was the case; but after they received his letter giving his reasons she was satisfied, and is much more so now. I was very sorry to leave Hongkong while Sixto was still there. If you could have seen how I cried; and he was sorry too and did not want to let me go, and begged Consuelo to stay, even if only for a week; but she refused, which I felt very badly about. Nevertheless, in spite of the fact that she had no consideration for us, I did all I could not to be angry with her, but I did regret that we had taken her with us. The days in Hongkong were delightful, because Sixto was very kind and good to us. Almost every day after dinner Sixto took me to walk to the places which I had not yet seen, at the same time making me tell him about things that happened ten years ago.

We also went to the house of Agoncillo and Marti, who were very kind to me, especially Doña Marcela,* who was very anxious that I should stay at her house. Of the Basa family I have no complaint, either, for they have been very good to me, especially Inez, who was like a sister to me. She helped me to get ready, and the family accompanied me to the steamer with our Philippine friends and acquaintances. We arrived here in the *Zosillo* on the 7th, after a very bad voyage, much worse than we had going, so that I could hardly stand. But we were fortunate in having as fellow voyagers two Spaniards, who were very good and looked after us in every way. One of them is named Ramon Lopez. He says he was the Government physician in Batangas and knows our family, as he has been in Bakayan and has stopped at our house.

The ship's doctor, who is a Japanese, also looked after us, and was very thoughtful, continually asking us what we wished to take. I believe he was sorry for us, seeing us travel alone, or perhaps Sixto recommended us to his care. Many friends came out to the boat to meet us, almost the same ones that came to see us off.

We all continue well, including mother, although she is very unhappy, even although we do not tell her more than half of what happens to us and try to console her. Give our regards to Mr. Warren and his wife and kisses to the children, and receive a warm embrace from your sister.

QUINA.

FROM MARIA TO SIXTO LOPEZ.

MANILA, *February 12, 1902*

DEAR BROTHER: We received your letters of the 26th of last and the 7th of this with the inclosed copy. Ninay has not yet v to the superintendent of telegraphs, as he is sick with measles, soon as he recovers she will do so. As to the telegram stating one of our brothers was executed, which you say alarmed Cle much when she read it in the papers, one of our friends told u the American newspapers also referred to this. We have l that the authorities here have received a letter from a person America, and this letter only asked the motive for the imprison of our brothers. We do not know the name of the writer. believe that Bell's visit to our brothers was due to your let Chaffee, for now, according to letters which we receive from M they are much more considerately treated, particularly Lorei whose condition they took a great deal of interest, sending two . can physicians, who take more care of him than of anyone else.

Are you really going to persist in coming? Do not do such a if you do not wish to make our situation worse. Besides, n sends you word that if you still wish to see her not to come o occasion, and that she has decided to live anywhere except here Philippines, for you know that we shall not be safe while there Filipino still struggling for independence, as is evident now. I fore we are only waiting until they set our brothers free to Hongkong or some other place where nobody will interfere wi and abuse our confidence. For we attribute the imprisonment o brothers to the fact that you do not wish to come and give the o allegiance, and so they keep them imprisoned to make you come.

When the authorities speak to us about this, although they do do so directly, we close their mouths by telling them that Cipriano laid down his arms, trusting in the promise of the Government th would never trouble nor molest him so long as no clear proof ag him existed, and also that our family should enjoy the same immunity because we had worked so hard for his surrender, fo declared that the American people do not intend to oppress us Spanish did, but that rather we should have their protection, as all others who do not fight against them treacherously, there hope that in view of the way they have treated Cipriano you than ever consider taking the oath of allegiance. Ninay sends v you to tell her a week before your departure for America, so r can send you the native clothes which you are to take to Cle use this summer. I have received the book which Mr. Patter me and am a thousand times obliged to him. We have not r the photographs and the ornament. Good-bye, many regards sure that you are not forgotten by

M.

FROM JULIANA TO CLEMENCIA LOPEZ.

MANILA, *February 14, 1902*

DEAREST CLEMEN: I am very sorry to tell you that our brothers still prisoners, and deported to the little island of Malagi,* and v

*Talin.

o hope of seeing them soon free because of the heavy conditions upon them in exchange for their liberty. By letters which we received from Manuel we know that they are not well treated, that they are made to work in the strong sun, being sent as far off the other prisoners, who work like animals. They do not come so much of the work as of the food and lodgings, the latter as you know, nothing but field tents. The poorest Filipino has a little house and never sleeps on the ground, as the rich men of Batangas are doing. I am thankful that I did not give credit to what the officers told me, that our brothers would have nothing, for by way of prevention I sent them immediately cotton mosquito nets, and everything they would really need.

ask pains also to send them food. I had myself presented to the one who has charge of all the launches running to that island, so that he might notify me of their departure, and in that way my letters and help might arrive safe. This American official, who seems to be a sort of a man, and who knew me by reputation, received me very kindly and offered to do everything he could on his part. But on the other hand, our brothers, in their letters, beg me to spare no efforts necessary to obtain their freedom, for they will die if they remain much longer. All these letters have made us perfectly despairing of the impossibility of doing anything for them. All the information and services which our brothers have given the Government avail nothing. What the Americans want at any cost is that 50 shall come and take the oath of allegiance, or that 50 guns be presented. The matter of the 50 guns is simply an excuse, but they may appear to have a just reason for the imprisonment of others, for what they really want and desire is the person of 50, and they believe that, compassionating the situation of our brothers, he will sacrifice his ideals to save us.

we have made a great mistake, for, according to what we hear, he is much grieved by it, but not as much as the authorities, and the Filipinos as well, believe, who think that the only way to force 50 to come unconditionally is by the imprisonment of our brothers and the confiscation of our goods. But what I can not understand is why even our poor dependents should suffer for the fault of our brothers. Being required to surrender guns and the poor things not having them, they also have been imprisoned and are so still. Isabelo has died. After they had beaten him and could get nothing from him they took him to the river Mataywana (Tuy) and there they drowned him in the river. Ramirez told of this here in Manila. Ramirez has fulfilled to the letter all his vows of vengeance on our brothers made when his candidate failed to be elected last September. Do not forget the details. As little does Bell forget the time when we won in the matter of the cows last year, when, although sold to the friars, he could do no less than recognize that the cows were ours. With so many enemies so great and powerful, and the situation in Batangas what it is, you can imagine how the opportunity was improved to do us harm.

Before all this happened who could have believed that they could be so vile as to revenge themselves on us who had done nothing against them and were living in the confidence that we were sure of the friendship which all the officers seemed to profess? It is this confidence that betrayed us. If we had been distrustful, they would not have caught us unprepared, for not only should we have warned our brothers

not to stay in Balayan, but we should have advised them to leave the country, and then we should be in peace and should not be passing such bitter days as we are now. Choleng arrived a week ago and told me many other very sad things about our province which remind me of the Spanish rule. Those martyrdoms and torture being renewed in the provinces where the insurrection still prevails. The father of L. Luna, after incredible torture, was thrown still on the fire, simply because his son was an insurgent and he had not been able to bring about his surrender.

All the wealthy men in Lipa have been made to work in the streets, and if at the present time they are better treated, it is because their sons, boys under 18 years of age, have volunteered, and go out always as guides when the American forces go reconnoitering; and they are in the vanguard. In this way they have accomplished that their fathers shall not again be obliged to work in the streets, carrying water. Not even in the time of the Spaniards were the people of Batang badly treated as they are now, and indeed it sounds strange to hear such horrible news, for even women are deported simply for being wives or daughters of insurgents. This is one of the reasons we have decided not to go to Balayan to visit poor Andrea, who is all alone with Emilio, for I did not wish to be within reach of Bell, or with I have a horror, believing him capable of anything. Before these sad events happened, I always believed the American chiefs very kind and reasonable, but now I am convinced that there is a snake in the bush, as the song says.

They are reasonable when it suits them, but otherwise, even if they shriek and cry to heaven, they pay no attention, merely saying as a way of consolation that when peace is established in our province everything will be arranged and we shall be content with their government; and saying other things as well, all, in short having little to do with what you ask. Oh, what outrage! If all the Americans here like those we have here, who heartlessly punish the innocent and make many families suffer, preserve me from them and from America with all its wealth and education and desire to be our protectors of civilization, and ——. But no, I want also to be just, and I do want you to say that I have forgotten those who are still our friends in spite of everything and doing everything in their power for us. * * * As for the others I no longer believe in them: they are false friends. We have treated them so well ever since they came to Balayan up to the present time that they can have nothing against us except the fact that Sixto is our brother and in respect to him they assured us that we had nothing to fear. Then, why are our brothers now prisoners?

Two months have passed and God only knows what we have suffered and what remains for us now to suffer, and what, in future, will be the terrible lasting effects. When Raymond was here he came to our house two or three times and denied that any officer in Balayan had anything to do with the imprisonment of our brothers. I answered him that it might be so, but that no officer had taken the least trouble to defend them. This the officers should have done not only as good friends but still more because military honor required them to do the right, and they did not do it, but kept silent like cowards. What happened in Balangiga should happen in Balayan, for they say that Balayan is no more peaceful than was Balangiga before the attack and they were then taken by surprise. * * *

I finish this, Clemen, by begging you once more to do everything you can, for our family has been very much wronged. My head is good for nothing, and so I beg you to show no one this letter and to pardon me because it is so full of erasures. You are, I repeat, our only hope in remedying our dreadful situation.

Tell our friend to forgive me for not writing more often, for I always have much to do and much to think about. Good-bye. Give our regards to everybody and kiss the children, and remember that you are loved and not forgotten by your sister,

NINAY.

JULIANA LOPEZ TO FISKE WARREN.

MANILA, P. I., *February 15, 1902.*

DISTINGUISHED AND DEAR FRIEND: First of all I hope that you will forgive me that I do not write you with greater frequency, as my wish is, but the situation in which my poor brothers find themselves prevents me from doing anything for good friends like yourself, since I give all my attention to their affairs, discussing methods and presenting reasons so that justice may soon be done them, if indeed there is such a thing. I doubt very much whether there is here, for it is now two months that my brothers have been prisoners and deported, and we do not yet know certainly the motive for it, nor have they asked them to make any kind of a declaration. You know very well that my brothers never contributed to the insurrection in Batangas, or they are convinced that such an unequal war can bring us only ruin and desolation, as it is actually doing now, for God only knows how terrible the consequences will be if the few who remain in the field still persist in the struggle.

You know also that my brother Cipriano surrendered with all his guns, convinced of and trusting in the magnanimity of the Government of the United States, and that this surrender was due to the favorable representations we made to him about the American people, when all my family was working to induce him to follow the paths of peace. We lay all this before the authorities, but they will not hear us. They content themselves with saying that when the war shall have ended and our province shall have been completely pacified they will give our brothers their freedom and we shall all be contented with the civil government. As you will understand, we could wait as long as they pleased if it were only a question of confiscated property; but it concerns the wretched life which our poor brothers are leading, who, as is natural, are suffering from the hard labor of the imprisonment, killing in health day by day because they are not accustomed to such a life—especially my brother Lorenzo; for we fear that if his imprisonment lasts many weeks longer his eyes will trouble him again and his cough become worse, and the result may be serious.

On the other hand, reading your letter to me of the 4th of January has relieved and consoled me very much in these days, now that my spirit is depressed; and I thank you for my letter with all my heart, and also for the many other favors which you are doing and have done for my unfortunate family. I can find no words to express to you our deep gratitude, and all that I can say to you of what our hearts feel toward you and your family is pale.

As to affairs in Batangas, I will only allow myself to say that they remind me of the Spanish domination in the year of '96, the memory of which fills me with horror.

I should like to tell you about many things which I know of, but I will leave them all until I have the good fortune to fulfill my promise to you to visit you in that city where the sedition law is unknown.

Good-bye for a time. Give my regards to your dear family, to whom I wish all sorts of happiness, and dispose of the services of your friend, who does not forget you.

JULIANA LOPEZ

FROM MARIA (SET 17) TO SIXTO LOPEZ.

MANILA. *February 15, 1902.*

DEAR BROTHER: We only received your letter of the 31st night before last. I could not talk much to the man who brought it to me nor thank him, for which I am very sorry, but I was so excited that I forgot everything, for I did not expect to get a letter from you by messenger. So I beg of you if you see him again or write to him that you will apologize for me. We are surprised that we only received the letter night before last, and we have told mother everything that you say about your going to America, and she is willing if you have promised to go and if it is convenient, but what she does not like is that you should ask another favor of that kind from your friend, considering how much he is doing for Clemen. So if you can find someone there from whom you can borrow at interest it would be much better. Moreover, mother is inclined to pay the expenses which Clemen is incurring when times are better, and it troubles her because she can not do it at once, but our affairs are in a bad condition.

Therefore I beg you, if you are going to this expense for the sake of the country, do not do it now, for if those friends to whom you refer have refused you and are not helping you, although they could if they would, why should you do it on your own account now that we are so poor, and you have already done, as I believe, all that a Filipino can for the good of his country. I am crying while I write this, and am in great trouble, for we have just found out that they are forcing our poor brothers to work, and to complete our misfortunes we have had * * *

We believe that everything that the Americans are doing to our brothers is on your account, and it would be better for you to go away from there to some other place, so that your name might never be heard.

Your sister, who does not forget you,

MARIA

Pardon me for not writing to you now. I am still feeling very weak and ill. I beg of you to take kindly what Quita says, and decide what you will do.

NINA

FROM JULIANA TO SIXTO LOPEZ.

MANILA, *February 19, 1902.*

DEAR BROTHER: Now that I have completely recovered from the indisposition which for some days has deprived me of the desire to do

anything, I set myself to answer your letters of the 31st, 7th, and 13th. I will tell you first of all that the last two we received on time, but the first, which was brought me by some one, I do not know who, we only received a week ago, and I was very sorry for the delay. I believe Mariquita told you what happened as regards the bearer of the letter.

Two men from Lipa, who arrived to-day from their town, have just brought us the great news that they have seen Lorenzo and Cipriano, who were coming from Calamba, in the Red Cross ambulance, going toward Batangas. One of them came on purpose, at Cipriano's request, to tell us that our brothers are now at liberty and that they will go to Balayan. Manuel still remains at Malagi; he will come to Manila in a few days. Imagine how delighted we must be since we have known this, and even more on poor mother's account, for whom life is again brightening. Poor darling! All this news must be true, for some days ago the private secretary of General Chaffee, who for some time has taken Carmelo's part, assured him that very soon our brothers would be set free, for that the authorities were convinced of their innocence. Accordingly, all day to-morrow we shall expect Manuel, and he will dine with us, as they assure us.

In regard to the questions which you have asked me about the reconcentration which is taking place in all the towns, I do not know what to say to you. I only know that in Balayan they keep rice for the reconcentrados and poor people, and the *Porisima*, which does nothing else but this, brings rice from other towns where it is plenty to the towns whose ports are closed, and also nipa, so that the country people can make themselves houses in town. In one way what the Government is doing in sending nipa to some of the towns of Batangas, getting it at Balayan, is a favor to our people, who are devoting themselves to this industry, for, according to what I am told, they are well and promptly paid. According to Andrea's last letter the volunteers no longer occupy our house and will not return. As to the superintendents, they still remain prisoners. Their names are Gregorio de Guzman (of Dao), Ramon Alimanzor (Mataymanac), Hilario Panaligan (of Toong), and Ysabelo Capacia (of Cakan). This last, according to details which we have received, was denounced in Tugay to the company of Macabebes which is stationed in that town by some one, who, not being able to endure the blows which the Macabebes gave him, said anything so that they might leave him in peace.

After having maltreated poor Ysabelo, who told nothing in spite of the many blows which they gave him, they took him to the river Mataymanac and there they drowned him, leaving his body to the mercy of the current without giving him any burial. The others were arrested in Balayan, and there they are until they shall present the imaginary fifty guns. Neither can I tell you who advised the wife of Goyo to surrender a gun, for Andrea when she wrote me, left out many things, perhaps for fear of compromising us, and if we know what happens there to the others, it is only because the captain of the steamer writes to me and tells me some things.

Quita has already written you from whom mother wants you to get the money for your passage and other expenses, for if you beg a loan from the friend of whom you speak we all know that he will not refuse

you, but mother prefers that you should ask it from some business house, paying interest, and so we should owe no one a favor.

I send you a box of clothing for Clemen, six boxes of tobacco, and the other three are for our valued friend Tom, which you will give him in mother's name.

Tell that person who rejoiced so much at our misfortunes, both openly and secretly, that now all the Lipa people are free, and our brothers as well, so that now he ought to weep, and we think we know who this good fellow-countryman and self-styled patriot is. As regards Senor Afable, we all think here that he is conducting himself well in the town, and even that it is due to him that there have not been so many arrests in Balayan as in other towns. In Lipa the number of prisoners went as high as 700; but now there are not more than 80. As for Dr. Lozada, I believe that he appreciates very much, as does also his wife, the care you took of him during his sickness, and they are grateful in spite of the fact that their daughter did not show it over there. * * *

I should like to send you some of Clemen's jewelry; but I do not know to whom to trust them so that they may come safely to your hands. We do not yet know who will take you Clemen's box and the tobacco which we are sending you. We can not obtain the five numbers of the Manila Times. They say that there are no more copies.

Good-by, and a pleasant voyage.

Yours to command,

NINAY.

Postscript: I have received your letter dated the 14th, and I have not the time to write you. When you come back from America bring me a big doll.

Yours,

MARIA

JULIANA TO SIXTO LOPEZ.

MANILA, *February 23, 1902.*

DEAR BROTHER: Although I suppose that this letter will not reach you there in Hongkong, I write nevertheless to tell you that we are not yet certain that our brothers are liberated, for if this news had been true we should have received by this time letters or a telegram from them telling us of the good news. Nevertheless the bearer of Cipriano's message assures us that it is so, but as the days pass we can not believe it, for we expected Manuel and he has not come; and the same thing may have happened to the two who were taken to Lipa that for some unknown reason they were not allowed to go to Balayan. I do not know when these sufferings will end.

Still we are consoled by one hope—that Clemen will accomplish something there in America—and therefore we are impatient to know what was the result of her going, so that we may have something with which to console our poor brothers who have good cause to complain of their situation. I have received several letters from Clemen, and the last was from Suez telling me that if it were not for our brothers of whom she thinks every minute, she would consider herself very happy on this voyage, for she is not seasick at all, and can eat, which is extraordinary for Clemen. All this makes us at ease, for we were thinking that she would be sick. I inclose the answer to my letter from the telegraph agent.

Good-by.

NINAY.

FROM JULIANA TO CLEMENCIA LOPEZ.

MANILA, *February 25, 1902.*

DEAREST CLEMEN: At the moment that I am writing you we are more afflicted, if such a thing is possible, than we have been since the arrest of our three brothers, for we have learned that they took Lorenzo and Cipriano to Batangas to try them by court-martial. We do not know whether this information is sure, but it is sure that they were taken to Batangas, for Pepe (Purgas) assured us that he had seen them pass through Lipa, but he does not know the reason why they were called there. We hear various things about them, but nothing directly from them, which we attribute to the fact that they are not even allowed to write. Three days ago we were told that they were being taken to Batangas to be released, and that Manuel would be brought here to Manila for the same purpose, for the latter, as you know, was arrested in Boac, which is under civil government, and accordingly we thought it natural that he should be brought here.

But yesterday, and again to-day, we were assured that nothing of the sort was true, and we believe it, for they have not brought Manuel, as Chaffee's private secretary promised us, who is doing what he can for our brothers. We can not imagine what the reason is that they are holding our brothers so closely when all the Lipa people are now set free, so that now out of 700 prisoners from that town there are at present only 70. You can not imagine in what despair we are, and even more when we see our poor mother weep and do not know how to console her, and we can only begin to weep, too, out of sheer desperation. But we do not tell her the whole truth about our situation, for if she knew it all I do not know what would be the effect. Poor little mother! We take care not to tell her anything which might make her more unhappy, and, moreover, we hide ourselves when we cry so that she may not see us afflicted, and we have to conceal all that we feel. I have never missed you as I do now in these circumstances, for I do not know whom to consult about what happens and about what I ought to do. Just think, as you know, I have never in my life decided to do anything without consulting you, and now I am obliged to do what seems to me best, and I do not yet know what the results will be. I refer only to the question of our brothers.

I felt very badly when you left us in this situation, but now I believe that even you could do nothing for them, for what is demanded is impossible; that is, that we should persuade our brother to come and make the oath. Believe me, Clemen, with all these things which are happening to us, if I had not been brought up in religion and believed in it from childhood I should become a heretic from all the sorrow that has come to us. I am sure that it is the wicked who are protected here in the Philippines, and it is to them that the authorities give credit, for they believe them friendly to the Government; but these gentlemen do not know that this is only a cover so that these wicked men may revenge themselves on their enemies, and gain money by making false denunciations, and they do not understand that in this way they will gain nothing but hatred, instead of being regarded and trusted as the representatives of a liberating nation, as I believed them to be. It was confidence which ruined us.

Every time that I write to you I forget to tell you the details about the arrest of our brothers. On the 13th of December in the afternoon

Cipriano went out on horseback with Raymond to mark out the limits of the reconcentration, which then had not been determined in our town. They went over the ground in a few hours and came back together to the town, and when they arrived in front of the commander's office, an officer—I do not know who—made them come in and there showed them a telegram from Bell which ordered that immediately upon receipt of the said telegram the two Lopez brothers and Felix Unzon should be arrested, the house seized, and all the papers, documents, and letters found there should be taken. Raymond, who was then acting as commanding officer, as Cole was in Batangas, in spite of the fact that this order was given to him, did not wish to enforce it in person, perhaps because he remembered the claims of friendship. At any rate, he sent another officer to do it, everything being carried off as the telegram directed.

I was mistaken in telling you that they also carried off money, for only the things I have just mentioned were taken. You will remember that there was a collection of letters in English in the box from many of the officers who were in Balayan. They have taken those, too, and I have since learned that they ascertained that I could speak and write English fairly well. This was told me by ———, who was rather anxious about his letters, but I told him that those which were not torn up I had brought with me here. The *Purissima* was in Balayan that same night with Manuel, who had been arrested in Bac through deceit by Lieutenant Allen, who formerly belonged to the Twenty-eighth Volunteers under Taggart, but is now a regular. He told Manuel that he was obliged to hire the boat as he had received an order from Bell to go immediately to Batangas with his soldiers.

Manuel answered that he could not do it, as he had an agreement to fulfill, and besides the unloading was not finished, but the lieutenant insisted so strongly that there was nothing else to do but yield, and they accordingly went on board the steamer together; and there nobody was allowed to stir, the soldiers were drawn up in file, and Allen ordered Numeriano* to give orders to go to Batangas. They arrived at Batangas, and only remained long enough for Cole to come aboard, who immediately ordered the boat to proceed to Balayan, and there he had our brothers, together with Unzon, brought on board to go to Batangas, telling them that Bell wished to confer with all three on a very important matter. Everything that Cole said was a lie, for they did not even see Bell's face during the three weeks that they were imprisoned there. After that time they brought them here to the harbor in the hold of the *Legaspi* with other companions, of which I think I have told you in my previous letters, and they were in the hold ten days. They told me afterwards when I went to visit them that if it had not been transferred to another steamer they would have been asphyxiated by the heat and lack of air if it had lasted any longer.

They say that our poor Lorenzo had to take off all his clothes, his condition was so wretched. On the *Liscum* they were well-treated, better than anywhere else, and beside we could take them anything they needed. But, unfortunately, after they had been on board ten weeks they took them to Malagi, and there they still are suffering beyond what you might imagine, without a house, the food poor, and

* Captain of the steamer.

what is more, obliged to be in the sun acting as overseers, and then at night it is so cold that they can not sleep. Poor brothers! I believe that what they have told is nothing in comparison with what they actually suffer. What makes me more despairing than ever is that none of our American friends will show their faces for them, and they do not dare to speak for fear of the military, and even the military do not dare. I will tell you about Taggart, whom I went to see a few days ago to know about the imprisonment of our brothers. He told me that the only charge against our brothers is that of being brothers of the enemy of America, you know who, but I am afraid to put his name in black and white. Besides, why had we sheltered Fiske, who is the worst man in America, and who is surely the one who set going again the almost finished insurrection in Batangas.

You can imagine what I would answer him. As to the seizure of our property, he says he supposes that the Government did this because we maintained our brother, who does nothing but say bad things of the Americans, and accordingly they do not wish to protect interests which are being used against them, and that the best thing we can do is to divide the property so that ours will be separate from our brothers. Finally he consoled me, telling me to have patience, that they would soon be set at liberty (this was on the 3d of January), and that as far as he was concerned he believed he could not help us or do anything for our brothers while the insurrection in Batangas continued, on account of the strong feeling which the military had against us. He received me well, as usual, but these words distressed me very much, for I saw that the military had decided to injure our family under any pretext. Captain Curry, who is very sorry for us, can do absolutely nothing for our brothers either. He comes to the house quite often to see us, for which I am grateful to him, for so I have the consolation of knowing that out of so many Americans who have received favors from us there is one who still remembers to visit us.

I received your letters from Penang, Colombo, Aden, Suez, and Naples, which have made us more easy about your voyage, and God grant that you continue well and have a pleasant voyage to your destination. All that you tell us in your letters, forgive me for saying so, I can not appreciate now nor realize what you tell me, for my imagination is wholly taken up by all these unexpected events, and the only thing that I can not forget, day and night, is the imprisonment of our brothers, and the fact that we can do nothing for them.

Your friend is here in Manila. She came * * *

After you have gained the freedom of our brothers, try to make them pay also for the damage and prejudice which they have occasioned us, remembering all your trouble and counting also that Andrea was forced to leave the house. We know that things are going well in Abra de Ilog. Let me tell you that we, at least I for my part, will sacrifice my share of the estate for you and the others who are there.

Your sister,

NINAY.

Give my regards to all of the good family which is protecting you, and tell Mr. Warren that we think of him a great deal, and that I will write him whenever I can.

Good-bye.

FROM JULIANA TO SIXTO LOPEZ.

MANILA, P. I., *March 3, 1902.*

DEAR BROTHER: First of all I beg you to pardon me for having given you false information about the liberation of our brothers; but everybody in the house was sure of the possibility of its being true, as I was myself, and all the more because Charing* and Quita talked with Sr. Lautin, a doctor, who came to tell us, from Cipriano, what I wrote you in my last letter; and this news was confirmed, because one of the Catigbac family, who also has just arrived from Lipa, said that he had really seen Cipriano but could not speak with him, so that he does not know the reason for Cipriano's going to Batangas. But as Sr. Lautin assured them, according to Quita, that Cipriano told him that it was in order to liberate them, I was convinced also, only I was surprised that they were not freed here in Manila. Believe me, we held this belief for two days, until Mariano went to talk with Lautin, who denied everything that he had said to the two girls. You can imagine how surprised they were at not having correctly understood what Lautin told them from Cipriano.

Since this is explained, then, I will go on and tell you that your departure from the neighboring colony was a sensational piece of news for those here, especially for the whites, who believed that you were almost decided to come and save us, as that is the only reason why Lorenzo and Manuel were imprisoned. Captain Cole was here at the house to visit us, as friendly as ever, and told us that he is the examining judge of Batangas, and promised us that he would do everything for the welfare of Cipriano. Mariano showed him all the documents which refer to the guns presented by Cipriano at his surrender, which numbered more than 150. The documents are signed by Captain Gale. According to Captain Cole, a certain Blas Noble and another, whose name I do not remember, are those who have denounced Cipriano as being still the possessor of 50 guns.

Have you received the box of clothes, nine boxes of tobacco, and the copies of the Manila Times? I am astonished that you did not write to us before going. * * *

I suppose by this time you have received the answer of the telegraph agent to the letter which I wrote him, which was without result. Dancel has brought us everything you sent us, and speaks very highly of you, praising you to the skies. I will close now, only telling you that everybody, even the prisoners, remain in good health, and we wish the same for you.

Your sister,

NINAY.

JULIANA TO CLEMENCIA LOPEZ.

MANILA, *March 7, 1902.*

DEAREST CLEMEN: I received your letters from Paris, and we were delighted that you arrived safely and found all the family of our good friend well and happy. Truly they are very fortunate people. We, on the other hand, continue in the same situation, our brothers deported and we have no hopes of seeing them free in spite of the promises made

* Wife of Mariano.

us by influential persons. I say this to you, for it has been almost a month now since they have been promising our brothers' liberation, even setting the day for them to start home, but they have not yet started. We are more convinced than ever that the imprisonment of the three was really due to the tenacious attitude of Sixto. That about the guns is only an excuse so that they may have some good reason for acting in this manner and so that it may not be believed that it is really on Sixto's account, for I do not believe that they could legally punish the three for another's fault, unless they made some charge against them directly as they have done.

All those who are prisoners (I refer to the influential men) are accused of nothing against the Government, only of being friendly to some insurgent—although it is perfectly well known that they do not have the same idea as the insurgents; and it is supposed that the prisoners will do a great deal for the pacification of the country when they find themselves treated like criminals and oppressed by injustice. M. Cabrera made great sacrifices to secure the surrender of his fellow citizens of Tual, and now there is not one of the leading men of that town in the field. But as he did not succeed in bringing about the surrender of Malvar, all these services have availed him nothing, but on the contrary he was taken to Malagi. M. Marasigan, a lawyer, because he had a nephew, B. Laki, in the field, was sent there also. P. Hilario, who is 60 years old, was kept two weeks in the stocks in the prison of Batangas, because they supposed him to be a sympathizer with the insurgents and to have some influence over an insurgent chief of Batangas, and he too is now among the prisoners in Malagi because he could not bring about the surrender of this man.

All the Lipa men are free because they presented many guns which they bought from those in the field, who had no trouble in finding purchasers. I said to the authorities that if they require 50 guns of our brothers, they ought to authorize Mariano to buy abroad the guns which they wish, as it will be impossible to get them in Balayan, and we would go to this expense simply that our brothers might be set free. Some of them looked very serious when I told them that, but as it is the truth I don't care what they think. We finally went to call on Captain Cole and his wife; mother insisted that we should pay him this attention because he is to be the presiding judge at Cipriano's trial. As you will understand, it was an effort for me, and it made me very sad, that we should go to renew our acquaintances of Balayan, after Cipriano had assured me that this man had contributed much to our difficulties through his cowardice, for he was afraid that if the American force in Balayan was attacked our brothers would be the first to join the revolutionary forces.

When I went to visit the Coles I had no intention of asking any favor, but simply to show them the documents concerning the guns surrendered by Cipriano, which numbered 192, the papers being signed by Captain Gale. I also went to find out the real reason for the imprisonment of Lorenzo and Manuel, and he told me that he believed it was a general measure, and above all to oblige our brother Sixto to come. And when I told him that according to the newspapers Sixto had already gone away he seemed startled, and told me that it was a mistake on the part of his countrymen to proceed against our brothers in this way; that they ought to have realized that Sixto has his own ideas, and thinks as a man would who has lived many years abroad, and would

on no account sacrifice his ideals for the good of his family, since he had no more to do with our actions than we had with his. Elias A. is also imprisoned on account of his brother, and it is said that he will remain a prisoner so long as his brother does not surrender. All these deeds and many others which horrify me are the daily food in our poor province. If you could see our family and hear us talk about these invaders of our land it would astonish you, for our attitude has radically changed, seeing so much injustice and outrage.

We do not now believe in any of them; they are all false; friendship means nothing to them; all they care for is to win glory and laurels in the end. According to their nature they have treated us. It has been hardly four months since your departure, and we are undeceived and very resentful toward this Government, which will go to any lengths to bring about peace, sacrificing many innocent people and committing abuses. But it will not be possible for them to bring about moral peace, but only physical, for I for my part will never forget this offense. Nevertheless, many Manila Filipinos approve this course of action, for otherwise these donkeys think there would never be an end; and there was even one, Dr. Vadua, who spoke of these events with loud congratulations,* praising these measures, declaring that this is what ought to have been done from the beginning.

We went to see Dona * * *

Say for us to that very kind family that we are very grateful for all that they are doing for you, and give many kisses to cunning little Marjorie, who you tell me is very sweet and not at all shy. I do not always have time to write you, and you will pardon me and be satisfied with once a week. This morning I received a letter from the captain at Malagi, who tells me that Lorenzo and Manuel are well. For a week now we have heard nothing of Andrea and Cipriano. Mother sends you word to study French, too, so that when you come back you will have both French and English.

Good-bye. With love,

NINAY.

JULIANA TO CLEMENCIA LOPEZ.

MANILA, *March 14, 1902.*

DEAR SISTER CLEMEN: More and more every day I lose hope of obtaining, at present, the liberation of our poor prisoners, at least until our province is pacified, for Bell told us so when at last we had an opportunity to talk with him here in Manila, imploring him to liberate our brothers. He refused us roundly, saying that the imprisonments are the only efficacious method of promptly pacifying the country, for that the Government, which has given him full power to do whatever seems to him best, is now tired of treating us kindly and of giving us good reasons, for we pay no attention. Therefore, without investigation or consideration, he will treat every one as he until Malvar surrenders. When I told him that it would be an act of justice if he were to first ascertain the facts concerning the previous conduct of the three prisoners from the Americans who are and have been stationed at Balayan— and I assured him they could give me information concerning any act worthy of the punishment which our

* Literally, wagging his jawbones in the air.

brothers have been suffering for three months—do you know what he answered me!

Well, that in the first place, he does not require information from anybody, and that he knows what he is doing, and, moreover, that those to whom I referred as our friends are candid and good like all Americans, and believe us to be the same, never dreaming that we are Filipinos who, educated by the Spaniards, are deceiving them by our false protestations of friendship; in a word, he said a number of things which show his hatred for us. Believe me, Clemen, under different circumstances I should not have kept silent under such insults as these, no matter who he might have been, but I was prudent because I remembered the three who are in his power. What a cruel disillusion we are suffering through these people. Quita says that I went too far in giving him these reasons, which, she thinks, hardened him against granting what we asked, and she even believes that he may revenge himself more than ever on our prisoners, maltreating them. So I do not yet know the reason why Bell has shown himself so hard toward us, and I believe if God does not come to our aid our situation may become worse yet, for poor mother now does not pass a single minute without thinking of our poor brothers, and we no longer know how to console her so that she may not be very unhappy.

Truly what we are experiencing is extraordinary—that we should accomplish nothing in three months, neither through your efforts there nor ours here. Only God knows where there is protection for the weak, such as we are. I am in utter despair, indeed, for many prisoners, and the greater part of those from Lipa, are now free, but our brothers not yet. Lorenzo is the one who is the most depressed by it, according to one of his fellow-sufferers, who yesterday was set at liberty. He says that during the whole time that they were together he never saw him even smile, except when, hearing of his liberation, Lorenzo congratulated him. You can imagine, then, what it must have been for Lorenzo all these three months, separated from us and in such a way. Sometimes I imagine that all the authorities here refuse us on account of your departure for America. If this is not so, why should Bell tell me that he would humiliate all those of our class who had much pride? This is a poor supposition, and so I hope you will not tell anybody of it. We are all in good health, and hope the same for them.

Good-bye. I am now very sleepy. I am writing you at night, because the only time when we leave mother is when she goes to sleep. We are always at her side, entertaining her with stories.

Good-bye.

Your sister who loves you,

NINAY.

BOSTON, April 18, 1902.

THE HONORABLE PRESIDENT.

MR. PRESIDENT: I have the honor to address myself to you, inclosing a copy of a letter which I have taken the liberty to direct to the Secretary of War, to whom you have commended the case of my family; and in this matter I beg him to inform me of the progress of said case, so that immediate justice may be done, as you promised me, for I believe that the consequences which may be involved make the case an urgent one.

Pardon me that I once more take your attention with this letter, and that I reiterate the petition which I laid before you regarding the liberation of my imprisoned brothers and the return of our confiscated property.

Believing, therefore, in your goodness and justice, and invoking the fulfillment of your promise, I hope that I may be deemed worthy to receive the favor which I solicit.

Respectfully,

CLEMENCIA LOPEZ

[Translation.]

Boston, April 19, 1902.

Hon. Mr. Root, *Secretary of War*.

SIR: With the greatest respect and consideration I have the honor to address to you this letter, as I have been informed that the case of my family has been put into your hands. I pray that you will have the kindness to inform me what progress has been made in this matter. For according to the last letter which I have received from the Philippines, my brothers are still prisoners, treated as though they were criminals, and, like the other prisoners, forced to work. One of them who has always been very delicate in health, is seriously ill, and it is to be feared that if he is kept longer in confinement, the natural result will be that every day will aggravate his condition, occasioning either his death or grave consequences. Therefore, since it is a question of life and health, and the case is urgent, and because the Honorable President promised to give the matter his personal attention, I venture to make this inquiry.

Convinced as I am of your sense of justice, I hope to deserve from your kindness the favor which I beg.

Respectfully,

[Personal.]

WHITE HOUSE,

Washington, April 23, 1902.

DEAR MADAM: The President has received your note of the 23d instant, and requests me to say in reply that he has gone carefully over with the War Department the matter of which you write, having been in correspondence with the authorities at Manila and in consultation with Governor Taft here, and that he does not think anything can properly be done. He will see Secretary Root on his return from Cuba, but there appears to be a consensus of opinion that no injustice was done.

Very truly, yours,

GEORGE R. CORTELYOT,

Secretary to the President.

Mrs. MABEL BAYARD WARREN,

Boston, Mass.

STATEMENT OF BISHOP JAMES M. THOBURN.

The CHAIRMAN. Bishop Thoburn, the committee have asked you to be kind enough to come before them, as they heard you have been in the Philippine Islands. Is that true?

Bishop THOBURN. Yes; I have been there.

The CHAIRMAN. And when were you there?

Bishop THOBURN. I might say I have charge of a mission, and am superintendent of a mission at Singapore. That is the headquarters of the mission. I go there once a year.

Senator BEVERIDGE. You are bishop of a Methodist church?

Bishop THOBURN. For India and Malaisia; yes. But I have been in the Philippine Islands myself only twice--the first time in March, 1898, and the second time in March, 1900. At that time I could only go into the immediate vicinity of Manila. We were not allowed to go out into the islands.

The CHAIRMAN. That was while the war was still in progress?

Bishop THOBURN. Yes.

The CHAIRMAN. There were very few provinces pacified then?

Bishop THOBURN. But there is a government prohibition, and we are not allowed to go out even at our own risk, because the authorities did not want us to make trouble for them.

The CHAIRMAN. How long were you in Manila at that time?

Bishop THOBURN. Two weeks.

The CHAIRMAN. Did you make any inquiries as to the state of affairs there, and the condition of the natives, and so on?

Bishop THOBURN. Certainly, as far as I could.

The CHAIRMAN. Would you kindly state to the committee what your impressions are and the result of your inquiry?

Bishop THOBURN. In what special direction?

The CHAIRMAN. In any direction, as what it is best for us to do there; what the capacity of the natives for self-government seems to be; anything in that direction.

Bishop THOBURN. I certainly think that we find ourselves there very unexpectedly and that we can not leave.

Senator DUBOIS. If you will pardon me, would it not be better for the Bishop to tell what he knows from observation as to the intelligence and moral capacity of the natives?

The CHAIRMAN. Certainly; any line that is desirable.

Bishop THOBURN. If you will give me questions, I will be very glad to answer them.

Senator DUBOIS. I would like to have your judgment as to the moral and intellectual capacity of the natives.

Bishop THOBURN. The natives are very much, in many respects, like our American Indians, it strikes me. They have no cohesion whatever among themselves. Wherever I meet the Malays I find they live to themselves; they go off into tribes and clans, and the biggest man is called a sultan, and his jurisdiction is limited.

The CHAIRMAN. You are familiar with the Malays of the Straits Settlements.

Bishop THOBURN. Of the Malay Peninsula; yes, sir. I have been up and down the peninsula. They are bright fellows, but I should say not profound. They learn a thing on the surface very readily. I am afraid they are a treacherous people.

Senator DUBOIS. I do not want to disturb you at all, but you compared them a moment ago with the North American Indians.

Bishop THOBURN. In that one respect.

Senator DUBOIS. In that they went ---

Senator BEVERIDGE. In that they lack cohesion.

Senator DUBOIS. They went off in tribes and clans, and someone is

the head of the tribe. In respect to their intellectual capacity, would that comparison with the North American Indians still hold?

Bishop THOBURN. They are bright fellows.

Senator DUBOIS. Would the comparison with the North American Indians still hold?

Bishop THOBURN. They are brighter than the North American Indians.

Senator BEVERIDGE. Your comparison with the North American Indian was with reference to their lack of cohesion?

Bishop THOBURN. Yes, sir.

The CHAIRMAN. They are of the same race of the Malays of the peninsula, are they not?

Bishop THOBURN. They are known to one of our missionaries who has looked the matter up. He has found 36 different languages, and each language represents a tribe or is called a little state, and these people are undoubtedly Malays belonging to the general family. Their straight hair shows that, and many of their features and their language.

The CHAIRMAN. Of the same stock?

Bishop THOBURN. Of the same stock. I had this man look this up carefully, and he gave me a great list of words which are identical in those different languages.

Senator BEVERIDGE. You are familiar with the Malays in those different settlements?

Bishop THOBURN. Yes.

Senator BEVERIDGE. You have examined those questions and have gone among them for years?

Bishop THOBURN. Yes, and I have known them for 40 years. There is a settlement of them in Calcutta.

Senator BEVERIDGE. From your decades of experience with the Malays of the different states and your two trips to the Philippines and the ethnological status which you have had prosecuted you identify these people as all of the same general family?

Bishop THOBURN. I do.

Senator BEVERIDGE. What, Bishop, is your opinion as to the capacity of the Malay for self-government in the large or general sense?

Bishop THOBURN. Well, I think he is very defective in that point; indeed, very defective.

Senator BEVERIDGE. Do you attribute that to the point in which you compared him to the American Indian, to wit, the lack of cohesion?

Bishop THOBURN. Largely that; and he is a restless man. I ought to say the Malays are in three different classes. There are the agriculturists, and the business men, the traders, and the seafaring men, including the fishermen. These seafaring men have been pirates from time immemorial. In fact, in my day the English have sent an expedition against them on account of there being piracy off the coast of the peninsula. This roving nature is deep in that class of them, and they dominate the agriculturists, who are quieter men.

Senator BEVERIDGE. Is piracy now wiped out?

Bishop THOBURN. It is wiped out there, but it is not wiped out. I believe, in the big island of Mindanao.

Senator BEVERIDGE. Is it wiped out in the Straits Settlements?

Bishop THOBURN. Completely.

r BEVERIDGE. And it has existed there within your time?

o THOBURN. It has existed there within my time; yes.

r BEVERIDGE. As a matter of history it is true, is it not, that as very rife in the Straits Settlements about sixty years ago?

o THOBURN. Certainly.

r BEVERIDGE. Singapore is not much older than 60 years, is a city——

o THOBURN. No; it is a new town. I forget the date of its ment.

r BEVERIDGE. I think sixty years ago there was nothing there gle.

o THOBURN. It is a new town and was founded almost in oppo- the wishes of the English Government by people who saw was the only way to settle that country.

r BEVERIDGE. Sir Stafford Raphaels?

o THOBURN. Sir Stafford Raphaels; yes.

r BEVERIDGE. And it is now a flourishing place?

o THOBURN. It is the most flourishing in that part of the

r BEVERIDGE. And you say piracy has been wiped out during e?

o THOBURN. Yes.

r BEVERIDGE. And a state of peace and prosperity exists.

o THOBURN. It is the most prosperous region in the East.

r BEVERIDGE. Do people submit to the English domination

o THOBURN. Absolutely.

r BEVERIDGE. And there is no difficulty?

o THOBURN. There is no difficulty.

r BEVERIDGE. At first there was sharp fighting?

o THOBURN. Yes; they had to take several regiments there cutta. They took them there in 1875.

r BEVERIDGE. There is nothing there of that kind now?

o THOBURN. No, sir.

r BEVERIDGE. The number of soldiers with which England Straits Settlements in Singapore is comparatively small now?

o THOBURN. Yes; the soldiers are held not on account of the out on account of the European Governments. That is a key uation.

r BEVERIDGE. You say piracy has not been entirely extermi- the island of Mindanao?

o THOBURN. As a matter of information, yes.

r BEVERIDGE. And you know it has existed in the islands ie lifetime of men now living?

o THOBURN. I have no doubt it exists where there is no mili- er to restrain them now.

r BEVERIDGE. What would you say would be the result in the ies if a native government was set up there and American and power were withdrawn?

o THOBURN. Over the whole of the islands?

r BEVERIDGE. Yes.

o THOBURN. I think it would be a crime to attempt it. It ing an awful state of things on the whole islands, because it row them into utter anarchy.

r BEVERIDGE. What would you say, from your point of view,

in your field of labor over there, which includes Malaisia, is the duty of the American Government in reference to continued occupation and government of the Philippine Archipelago?

Bishop THOBURN. Well, we are there, and I think we ought to do our duty the best we can—if you will allow me to speak as a missionary, I would say—in the field God has put us. We did not seek it.

Senator BEVERIDGE. You think it is the duty of the American Government to continue?

Bishop THOBURN. I certainly do. I think it would be assuming a very grave responsibility to lift our hand from that place. I think it would put back the civilization of the big island of Mindanao two hundred years for us to let them go to their own ways.

Senator CULBERSON. I believe you stated you were in the islands for the first time in 1898?

Bishop THOBURN. Yes.

Senator CULBERSON. What part of the islands were you in then?

Bishop THOBURN. By the way, I am mistaken; let us see. It was 1898 that the battle was fought, when Admiral Dewey destroyed the Spanish fleet?

Senator CULBERSON. Yes.

Bishop THOBURN. I made a mistake then as to the year. I got a cable from New York to go to Manila and examine the situation in January, 1899. I left for there in January, 1899, and reached there in March, 1899. So I made a mistake of one year.

Senator CULBERSON. What portions of the islands did you visit then?

Bishop THOBURN. Just Manila, I was not allowed to go out of Manila.

Senator CULBERSON. You were there how long in Manila at that time?

Bishop THOBURN. Two weeks.

Senator CULBERSON. You can not speak personally, then, of conditions in any other part of the islands?

Bishop THOBURN. No; not from personal observation.

Senator CULBERSON. You were there again in 1900?

Bishop THOBURN. Yes; just a year later.

Senator CULBERSON. How long were you there then?

Bishop THOBURN. One week.

Senator CULBERSON. In the city of Manila?

Bishop THOBURN. In the city of Manila.

Senator CULBERSON. You have, then, as a matter of fact, never been anywhere except Manila, and you have only been there three weeks two different times?

Bishop THOBURN. Yes.

Senator BEVERIDGE. But you have spent your last thirty years, as I understand it, among the Malays?

Bishop THOBURN. I have been in the East for forty-three years. I have been going there since 1855—to Singapore and Penang and what we call the Straits Settlements, which include the Malay Peninsula. I have been there a great deal and been among the Malay people a great deal.

Senator CULBERSON. I believe you stated, in answer to one of the questions of the Senator from Indiana, that the Filipinos, in their tribal tendencies, resemble very nearly the North American Indians more nearly than any other people?

Bishop THOBURN. Yes; I gave that as an illustration.

Mr. CULBERSON. Do you regard the Indian as capable of self-government?

Mr. THOBURN. The American Indian?

Mr. CULBERSON. Yes.

Mr. THOBURN. Not in the modern sense of that term.

Mr. CULBERSON. I believe you said that you did not believe the Indians were capable of self-government?

Mr. THOBURN. No; I do not think they are as a people.

Mr. CULBERSON. Do you believe, Bishop, that the American Government, the American people, ought to absorb and take into their political body a people incapable of self-government?

Mr. THOBURN. What do you mean by taking them into the body?

Mr. CULBERSON. Constituting them a part of the citizenship of the American people.

Mr. THOBURN. Citizenship has two meanings out there. I am in accord with the English idea. I am in a measure a citizen myself, but I am an American citizen. I have voted in India, and I vote in the United States. They recognize me as a British subject as long as I am domiciled in India.

Mr. CULBERSON. Have you declared your allegiance to the British Government?

Mr. THOBURN. No; I have not done so. They are very liberal. The Government issued a decision in a case brought before them, in which they said they would recognize Americans who were permanently domiciled there as subjects; and there was an American once in Calcutta who was made a member of the legislative council in Bengal.

Mr. BEVERIDGE. At the same time retaining his allegiance to the American Government?

Mr. THOBURN. Yes.

Mr. CULBERSON. Coming back to my question, I would like you to say enough if you would give me your views about it—whether you believe the American people ought to absorb and take into the political body of American Government a race incapable of self-government.

Mr. THOBURN. If you mean by that they ought to take them in as they are, so that when I come here I become a citizen and a voting citizen, I should say no; but if you take them in in the other sense I say yes.

Mr. CULBERSON. The other sense is that they would be held as a subject race?

Mr. THOBURN. A subject race under fixed rights that are assured to them.

Mr. CULBERSON. Do you believe that the American Constitution should be extended over the Philippines?

Mr. BEVERIDGE. I do not think the examination of the Bishop on the question as to whether the Constitution follows the flag or does not follow the flag is a proper question. It is a legal question.

Mr. CULBERSON. I am not asking him whether it does; I am asking him whether it ought to.

Mr. BEVERIDGE. That is hardly a proper question. I submit—a constitutional question.

Mr. CULBERSON. I am not asking him a constitutional question, Mr. Chairman.

Mr. THOBURN. I am very willing to answer.

Senator BEVERIDGE. Very well; go ahead.

Bishop THOBURN. What is your question again?

Senator CULBERSON. I asked you if you believed the benefits of the American Constitution ought to be extended to the Filipino people.

Bishop THOBURN. I do.

Senator CULBERSON. You do?

Bishop THOBURN. Certainly.

Senator CULBERSON. You think, then, that it is a mistake not to have done so up to the present time?

Bishop THOBURN. You mean in the sense——

Senator CULBERSON. I mean in the broad sense, the Constitution with its benefits.

Bishop THOBURN. According to my meaning they have already done it. We are ready to defend the Filipinos against the world now.

Senator CULBERSON. Do you think that is all there is in the Constitution for them, that we shall defend them against the world?

Bishop THOBURN. No, sir; I think we ought to help them in every way and teach them how to govern themselves, and in order to do that we have a very great task before us. But we can not do it in ten years, nor in fifty years. In the history of the world you will not find that any nation has ever been developed at that rate. But I think that is the mission that Providence has given us.

Senator BEVERIDGE. What do you think about the progress we have already made?

Bishop THOBURN. We are going fast; if anything, we are going too fast. We are not going too slow; that is certain.

Senator CULBERSON. Let us not go too fast here, either.

Bishop THOBURN. Very well.

Senator CULBERSON. You do not believe, I think you said, that we ought to take the Filipino people into our Government as you are in it; in other words, they ought to be held as a subject race?

Bishop THOBURN. I do not like your term "subject race." A protected race, I would say.

Senator CULBERSON. A protected race. You think, then, we ought to establish a protectorate over the Philippines?

Bishop THOBURN. I like the word protectorate.

Senator CULBERSON. Not constitute that country an integral part of the United States or the people a part of the citizenship of the United States, but simply extend an American protectorate over those people?

Bishop THOBURN. That is my idea, although I might define it a little differently.

The CHAIRMAN. What do you mean by a protectorate?

Bishop THOBURN. A protectorate in the sense—I am a Britisher to some extent, having lived over there so long—in the sense we use it in the English possessions.

Senator BEVERIDGE. In the administration of the government?

Bishop THOBURN. In the administration of the government.

Senator CULBERSON. You want the United States to adopt the English policy in governing the Malay people?

Bishop THOBURN. I would have them adopt the spirit of the English policy and according to American ideals. I should have them do it a little better, perhaps. But I think, if you will allow me to say it, that that is the tendency of the world today; that all outlying uncivilized or half-civilized countries are going to come under European jurisdiction within the next one hundred years.

Senator BEVERIDGE. Or American jurisdiction.

Bishop THOBURN. Or American jurisdiction.

Senator CULBERSON. Passing from the matter of government to another phase of the question, do you believe the Filipinos are equal as a race to the American people, the Anglo-Saxons?

Bishop THOBURN. Do you mean in capacity or in rights?

Senator CULBERSON. I mean in capacity.

Bishop THOBURN. No; they are not.

Senator CULBERSON. In intellectual and moral capacity?

Bishop THOBURN. No; they are not.

Senator CULBERSON. They are not. Do you believe that the American people or the Anglo-Saxon people ought to become amalgamated with an inferior race?

Bishop THOBURN. Amalgamated used in the popular sense of that word here in this country, as used in this country?

Senator BEVERIDGE. What do you mean by amalgamated?

Bishop THOBURN. You mean a race amalgamation?

Senator CULBERSON. Yes.

Bishop THOBURN. Oh, no; that is a question that will take care of itself. The English have not amalgamated with the people of India.

Senator CULBERSON. The amalgamation of an inferior race with a superior race constitutes the mongrel, and a race inferior to the dominant, would it not?

Bishop THOBURN. Yes; but all experience shows that what I will call the English-speaking race does not amalgamate with Asiatics.

Senator CULBERSON. Do you not believe we would have a more perfect, a more homogeneous, and a better people if the Americans should never amalgamate with any inferior race?

Bishop THOBURN. Well, it is not a problem that has ever interested me, for I do not think they ever will. I suppose we all would agree that all races do better to work out their own future—their own destiny. And yet there is this difference: The Chinese amalgamate with other oriental races to the advantage of both; but I do not know it of Europeans in any case.

Senator BEVERIDGE. You mean in working out their own physical future?

Bishop THOBURN. Yes.

Senator CULBERSON. You mean—I gather from what you say to be substantially this: That you believe the best way and the safe way with reference to dealing with Filipino people is to keep them separate and apart from the American people both in government and as they may be affected by amalgamation.

Bishop THOBURN. That is, you mean our Government in this country? I do not want to be understood as saying that they shall never have any future government for themselves. I would not assume that we could govern any dependencies at such a distance as that permanently, and we must develop self-government, and in time we can do it.

Senator BEVERIDGE. How long?

Bishop THOBURN. It would take a long time.

Senator BURROWS. How long would it be, in your judgment?

Senator BEVERIDGE. You said fifty years a minute ago; that we could not do it in fifty years.

Bishop THOBURN. I should say three generations; that three generations might be able to do it. But, in the first place, the present generation will never get rid of their old instincts and ideals; the

second generation will be educated half and half; they will still have a great deal of the old ideal—that is, I am taking it as things have gone in the past—and the third generation will be altogether new.

Senator BEVERIDGE. They may be ready for business?

Bishop THOBURN. Ready for business.

Senator CULBERSON. How many years will that be?

Bishop THOBURN. Seventy-five years at least. A generation is supposed to be thirty-three years. Out there it is shorter.

Senator CULBERSON. I understand; how much shorter is it?

Bishop THOBURN. They have never reduced it to figures. In India——

Senator BEVERIDGE. It is twenty-five and a half years.

Bishop THOBURN. I was going to say nearly ten years less.

Senator CULBERSON. In your judgment, then, it will take the United States seventy-five years to educate those people and develop them to a degree of self-government in which they could stand alone?

Bishop THOBURN. I think so. I have not thought it out in figures, but as you put it to me now, it strikes me that way.

Senator BEVERIDGE. That would approximate it?

Bishop THOBURN. Yes; that would approximate it.

Senator DUBOIS. Bishop, do you think that if our people go over and live with them (and I understand the country is rich in resources) and mingle with them for seventy-five years, do you think at the end of those seventy-five years we would be willing to give them independence?

Bishop THOBURN. In the first place, our people won't go there in any great numbers any more than they go to India. They can not stand the climate. They will go there and start business, and they will stay there probably twenty-five to thirty-five years and always come away and bring their families away.

Senator DUBOIS. I agree with that; so I will put the question in another way. When our capitalists go over there and invest their money in different enterprises in the Philippine Archipelago, do you think that our Government then will allow them to set up an independent form of government, taking the chance of sacrificing these vast accumulations of property which our people have gained; has that been the rule with other nations that have colonies?

Bishop THOBURN. I could hardly say. If there was danger it would develop itself, and of course our people would be wise enough to adapt themselves to the exigencies as they would arise. I have not ever thought of that contingency.

Senator DUBOIS. Would it not be very problematical, to say the least, whether at the end of seventy-five years——

Bishop THOBURN. Whether they could be given independence?

Senator DUBOIS. Whether we would conclude that they were fit for it.

Senator BEVERIDGE. That is a question for the end of the seventy-five years, is it not?

Bishop THOBURN. Yes.

Senator DUBOIS. If we had accumulated property over there?

Bishop THOBURN. We have in India several native states where the government is purely native, and Europeans do not hesitate to go and invest capital there. There is a general protectorate, however, over the whole peninsula.

Senator DUBOIS. They are not independent states?

Bishop THOBURN. They are not independent in the ultimate issue, it in the every-day administration they are independent.

Senator DUBOIS. Do you really think the Philippine Archipelago will ever be independent as we are and as Cuba is?

Bishop THOBURN. If I were to answer you, you might think I was a visionary man. I think in the course of another century that there will only be five or six great governments in the world, and we will use the terms protectorates and such terms a little differently from the way we use them now. The tendency seems to be inevitable.

Senator CULBERSON. Do you think there will be that many?

Bishop THOBURN. I have never reduced that to a fine point.

Senator PATTERSON. There are likely to be one or two governmental units by that time.

Senator BEVERIDGE. And we be the chief one.

Bishop THOBURN. I am not a specialist on this line, of course.

Senator PATTERSON. What do you mean when you say that God put us in the Philippine Islands?

Bishop THOBURN. I mean—assuming that we all recognize that there is such a thing as Providence, there is Divine direction—if you will allow me to go into the story a little, I first had my attention drawn to the Philippine Islands in 1885. I was very anxious to go there, very anxious to establish a mission there, but never could even get permission to land in Manila in those days. After I looked the matter over I wrote about it as far back as 1885 in the public prints of this country; I spoke about it in public and from the pulpit.

I said the Spanish could not stay there permanently, and I assumed that the Japanese would go down there some day and drive them out; and they certainly would have done it, if we had given them time, I think. And while I was waiting from year to year I was in London one day, and one morning I picked up a paper and saw that Admiral Dewey had wiped out the Spanish fleet in Manila Bay. Then I saw my dream was going to be realized in a way that had never crossed my mind. I said a little while ago, if you will allow me to speak as a missionary, such an extraordinary turn of things I did not believe had come by chance, and I am sure it did not come by the deliberate design of the American Government and so I attribute it to Providence, another name for God.

Senator PATTERSON. You think we are there without any design on our own part, but through the hand of Providence?

Bishop THOBURN. I do. President McKinley once told me confidentially that he tried in every possible way to avoid the annexation of the Philippines.

Senator PATTERSON. God placed us in Cuba, too, didn't he?

Bishop THOBURN. Yes, sir.

Senator PATTERSON. We are not in Cuba now.

Senator BEVERIDGE. Of course you know, Bishop—

Senator PATTERSON. I dislike to object to the interruptions of the Senator from Indiana, but the Bishop is a man of wide travel and learning, and I think he ought to be allowed to answer these questions himself without the Senator from Indiana interjecting remarks before he does answer.

Senator BEVERIDGE. I have not interjected anything, as the Senator from Colorado will see by examining the record, during his examination; but when the Senator said "We are not in Cuba," when we know that

the Platt amendment is part of the Cuban constitution, I think it is time to interpose.

Senator PATTERSON. We will take care of that, and I would say to the Senator from Indiana that he is not the repository of all the intelligence that happens to come into the room. I think he ought to give credit for some of the intelligence——

Senator BEVERIDGE. That is your opinion, is it?

Senator PATTERSON. Candidly; and it is not detracting in any way from the intelligence of the Senator from Indiana.

Senator BEVERIDGE. That is very kind of you. That shows the most generous disposition that has been shown by the Senator from Colorado.

Senator PATTERSON. Was it God that took us out of Cuba, as well as put us in there?

Bishop THOBURN. If you will ask me that question a few years hence I will be able to answer it better.

Senator PATTERSON. You will have to defer that answer for several years?

Bishop THOBURN. Temporarily. I confess I do not know whether we have done the best thing or not in Cuba. I have no doubt, however, that the right thing was done when the Spaniards were driven out of the Philippines.

Senator PATTERSON. Admiral Dewey said that he knew the Cubans had been among them, and that the Filipinos were better qualified for self-government than the Cubans. You know that, do you not, by common report?

Bishop THOBURN. I have so heard.

Senator PATTERSON. He had a better opportunity of knowing the Filipinos than you did, did he not?

Bishop THOBURN. I don't know; I have known them for fifteen years and he has known them for three or four.

Senator PATTERSON. I understood you, in reply to the Senator from Texas, to say that you had been in the Philippine Islands for about three weeks all told, and that was confined to the city of Manila. Is that right?

Bishop THOBURN. That is correct.

Senator PATTERSON. Then when you say you have known the Filipinos for fifteen years, you mean the Malay race?

Bishop THOBURN. The Malay race.

Senator PATTERSON. Oh, well. And you do not differentiate between the Malay race and the inhabitants of the Philippine Archipelago?

Bishop THOBURN. On broad lines, no.

Senator PATTERSON. Very well. But so far as personal relation and personal knowledge of the Philippines is concerned, Admiral Dewey had a much wider knowledge of them than you have?

Bishop THOBURN. He may have had. I really can not tell. He was on board his ship while I was there.

Senator BEVERIDGE. And while I was there, too.

Senator PATTERSON. He was sometimes on land?

Bishop THOBURN. He was not during my stay.

Senator PATTERSON. Very well. Now, suppose the Americans had helped the Filipinos set up a government of their own, as they have the Cubans, and on the 20th of this month the American flag had been hauled down, and the Filipino flag raised, a Filipino president elected

Filipino congress ready to take its seat, and the question was whether God had brought that about; would you have to answer to that for a couple of years?

op THOBURN. Not at all; I would say without a minute's hesitation it was wrong.

for PATTERSON. You would say that God had not done that?

op THOBURN. No; I would say that was done by the American politician.

for PATTERSON. By the devil?

op THOBURN. No; by the American politician.

for PATTERSON. Well, that is the next thing to the devil, is it?

op THOBURN. That is a question I would like to be excused answering.

for PATTERSON. And you decline to say for a couple of years if we have gotten out of Cuba by God's hand?

op THOBURN. I have no opinion on that subject. I would say you will allow me: In case of attempting the same thing in the Macabebes, especially those in the northern part of Luzon, we stood by us right along, in the next twelve months would be exterminated, and we would have nothing except——

for CULBERSON. The Macabebes stood by Spain, too, didn't they?

for BEVERIDGE. Also what occurred——

for CULBERSON. Wait one moment.

op THOBURN. I am not aware that they stood by Spain.

for PATTERSON. You do not know that?

op THOBURN. I do not know. They certainly stand by us.

for BEVERIDGE. If that thing had been done in the Philippines in relation to what you say would happen to the Macabebes, what would occur to the rest of the tribes?

op THOBURN. You know that in the time, the very limited time, when there Aguinaldo had his associate general assassinated, and were at sixes and sevens among themselves, and I suppose we have more news of that kind if the Filipinos had control.

for PATTERSON. Of course there is no question about your right to speak about the Filipinos from three weeks' living in Manila. You have personal knowledge of the assassination of Luna by Aguinaldo?

op THOBURN. I had no opportunity of getting what you would call personal knowledge; of course not. I suppose you do not doubt it?

for PATTERSON. I do, indeed.

op THOBURN. I was not aware it has been questioned.

for PATTERSON. You do not read history, perhaps. Were you aware that there was an investigation of that by the first Commission?

op THOBURN. No; I was not aware of it. I do not read either history or the newspapers as much as I would like to.

for PATTERSON. I am afraid you read newspapers a great deal, probably of only one kind.

for BEVERIDGE. That is hardly courteous.

for PATTERSON. Perhaps not.

op THOBURN. I have no objections.

for PATTERSON. I take that back.

op THOBURN. I have not the slightest objection.

Senator PATTERSON. We are in the best of humor, so there is no mistake about that. Did you know, Bishop, that the insurrection against the Spanish Government, which broke out over there under the guidance of Aguinaldo, had extended to all of the Philippine Islands, except the island of Mindanao, after he returned, immediately following the destruction of the Spanish fleet?

Bishop THOBURN. My understanding is—of course I do not profess to be well posted on that—that the Tagalo elements—I suppose you know the Tagalos are the leading race of Luzon—wherever they were found, were in insurrection, and they are scattered to some extent over the country; but, for instance on the island of Negros, the Negrito people did not join.

Senator PATTERSON. Are you familiar with the fact that General Otis states that within a short time after the landing of Aguinaldo at Cavite the insurrection under his guidance had extended to all of the islands of the archipelago except Mindanao? Are you aware of that fact?

Bishop THOBURN. I was not aware that he stated it, but as I have stated it it does not contradict that at all. It extended to the people called the Tagalos.

Senator PATTERSON. I am now stating the official reports.

Bishop THOBURN. I am stating what I know, because the Negrito men put up at the same hotel with me in Manila, and they came to ask General Otis to send American troops to the island of Negros to take possession of the island and establish a government and drive out these very Tagalo people.

Senator PATTERSON. That all occurred during your three weeks—some came from Negros—

Bishop THOBURN. I saw them.

Senator PATTERSON. How many did you see?

Bishop THOBURN. Eight.

Senator PATTERSON. Very well; we have the benefit of that. Are you aware also that, say by the 1st of January or by the middle of January, 1899, the Philippine Archipelago was absolutely under the control of the Filipinos themselves and had come under their control between May, 1898, and the middle of January, 1899, except the city, harbor, and bay of Manila, excluding from that Mindanao and the Sulu Islands?

Bishop THOBURN. May I ask what you mean by the word "control"?

Senator PATTERSON. I mean by that there was no Spanish garrison and that there was no American occupation of any part of the archipelago except the city and harbor of Manila.

Bishop THOBURN. And don't you mean also—

The CHAIRMAN. Between what dates?

Senator PATTERSON. Between May, 1898, and the middle of January, 1899.

Bishop THOBURN. My impression is that the islands were over-run by ladrones then and that a state of anarchy prevailed to a great extent and that especially in the island of Negros that thing was not as you put it— that American authority was established there.

Senator PATTERSON. Is it not a fact, and can you point to anything in the newspapers of the day but comparative peace and quiet reigning in the Philippine Islands in the latter part of 1898 and up to February, 1899?

Bishop THOBURN. Well, I was not there then; but my impression is from what I told you of the island of Negros and from what I learned from all the people I talked with there, there was anything but an established order——

Senator PATTERSON. When do you say you were there? I did not catch the time.

Bishop THOBURN. In March, 1899.

Senator BEVERIDGE. And again?

Bishop THOBURN. And again a year later.

Senator PATTERSON. That was after the fighting had commenced?

Bishop THOBURN. Yes, sir. I was there a few days after the big battle in the vicinity of Manila. The state of things that prevailed——

Senator PATTERSON. Now——

Bishop THOBURN. No; go ahead.

Senator PATTERSON. I thought you had finished.

Bishop THOBURN. I was about to say the state of things that prevailed there reminded me very much of what I had previously seen in Burma. When the French began to meddle with the upper Burma country, the Government of England took possession of the country and deposed the King. For about two years British authority was all over the place, but there were bands of dacoits, as we called them, wandering all over the country, and the same kind of a condition of affairs prevailed to a certain extent as existed in the Philippine Islands. There was no regular government excepting the British Government. I suppose you are all familiar with the fact that the word *ladrone* is constantly used in reports coming from the Philippines.

Senator PATTERSON. You are of the opinion that within a hundred years all the semicivilized and barbarous people of the earth will be under the control and dominion of a few great powers?

Bishop THOBURN. I think so.

Senator PATTERSON. Is it your opinion that the hand of God leads great powers to send their armies to the lands of semicivilized people to subjugate them and bring them under the dominion of the great powers?

Bishop THOBURN. I could not put it that way. The way it is working is that the most enterprising nations of the world are pushing out individuals. The governments have to follow them. I think, if you will allow me to state it in my own terms, that God rules and overrules, and very often, as the good Book teaches us, He so overrules the movements and purposes of bad men as to bring about a result very different from that they anticipated.

Senator PATTERSON. If the British shall in the end subjugate the Boers, will that, in your opinion, be done in the providence of God?

The CHAIRMAN. It seems to me that is very far aloof from the Philippine affairs.

Senator PATTERSON. I think not. I think we have a right to find out just exactly what the witness's idea is about God doing this and God doing that, and we can show that better by illustration, perhaps.

The CHAIRMAN. I do not understand that we have the witness here to cross-examine him as to his religious beliefs.

Senator PATTERSON. And I am not examining him as to his religious beliefs, and I do not want to even know what his religious beliefs are except by rumor.

Senator BEVERIDGE. I want to object to this, Mr. Chairman. The

Bishop has stated a great ethnical generalization concerning advancing control and civilization of inferior people by superior nations. Now, the Senator's question goes into the question of the war between England and the Boers, and the Boers can not be classed as one of these inferior races, and therefore the question is not pertinent.

Senator McCOMAS. I object on the ground that it is entirely collateral. He asks the Bishop now in respect to the Boers and the English. If that question is to be responded to, it would require other people to go into that inquiry and there would be no end to it.

Senator CARMACK. Senator Patterson is examining the witness. I may say, on a statement that the witness himself made—that we are in the Philippines by the hand of God.

Senator McCOMAS. But he has gotten entirely off of that.

Senator DUBOIS. The Senator from Maryland was not here, and does not know what he has testified to.

Senator McCOMAS. I know what he has been asking since I have been in here, and I know that it is irrelevant, immaterial, and collateral.

Senator CARMACK. The bishop made an ethnical generalization concerning the advancing civilization and domination by civilized powers among peoples regarded as uncivilized, and now comes the question concerning the Boers, which may or may not, I think not, be taken as an example of one of these dependent races.

Senator DUBOIS. It was not very general when the bishop testified that we were in the Philippines by the direct will of God; there was not much generalization about that.

Senator BEVERIDGE. I do not think there is any question about that.

Senator CULBERSON. You mean about the generalization, or the fact that we are there by the hand of God?

Senator BEVERIDGE. About both.

Senator McCOMAS. I think it is so collateral and general that this branch is not proper.

Senator PATTERSON. Where the witness generalizes, as he has done, we have a right to test by illustration and example to what extent that generalization would carry in order to have a more intelligent idea of his meaning.

The CHAIRMAN. We are here to investigate affairs in the Philippine Islands. I do not think we are here to investigate Bishop Thoburn's opinion or anybody else's opinion in regard to England's war with the Boers. I do not think that comes within the scope of our inquiry at all.

Senator PATTERSON. Well, we will not take any further time; we will let that rest. You say that generally individuals precede the nation and the nation follows for the purpose of protecting the individual.

Bishop THOBURN. Yes.

Senator PATTERSON. As a rule it is that way Providence operates in getting possession of the lands and country of semicivilized or barbarous people?

Bishop THOBURN. That was not the way I put it exactly. I said these movements were going out all the time and that Providence ruled and sometimes overruled and made evil work out of a good result. I do not approve or disapprove of what you call—

Senator PATTERSON. But in the case of the Philippines, Bishop, that was not the case; the individual did not first go there, but the country went there through its Army.

p THOBURN. Yes.

or PATTERSON. That is in the case of the Philippines.

p THOBURN. Yes; you became responsible for that.

or PATTERSON. Yes; I suppose the American people did. There is no doubt about that in the world. Now, is it your theory that a nation comes to the assistance of a barbarous or a semibarbarous people or a people of a higher degree of civilization and intelligence than semibarbarous, then because they come to the assistance of that people that they have a right to override against the will of that people, take possession of their country, and kill and burn as may be necessary for the purpose of that possession and permanent occupancy?

p THOBURN. You ask that question seriously?

or PATTERSON. Indeed I do.

p THOBURN. It is very difficult to answer it seriously. Every nation should depend on itself, on its own merit; what might be right in one country would be very wrong in another. The American Government repeatedly bombarded towns and different coasts, once made a landing and attack on Korea and immediately withdrew. What is right in one place is wrong in another.

or PATTERSON. Does man determine what is right and what is wrong or does Providence determine what is right and what is wrong?

p THOBURN. Is this an examination in metaphysics or theology?

or PATTERSON. I don't know. You volunteered to tell us that you took us to the Philippines.

p THOBURN. Yes——

or PATTERSON. And I want to know whether it is God or man who determines these things.

CHAIRMAN. Bishop Thoburn said that was his belief; he simply stated his opinion, and he stated it with great modesty.

or CARMACK. Of course the Bishop did not pretend to have communicated by direct communication with the Almighty.

p THOBURN. If you are going into metaphysics or theology I am willing to answer, but if you want information I will be glad to give you the best of my ability.

or CARMACK. Is that too much metaphysics for you to answer?

p THOBURN. I do not know whether that is metaphysics——

CHAIRMAN. Let the previous question be read.

Enographer read as follows:

"I suppose the American people did; there is no doubt about that in the world. Now, is it your theory that if a nation comes to the assistance of a barbarous or a semibarbarous people or a people of a higher degree of civilization and intelligence than semibarbarous, because they come to the assistance of that people that they have a right to override against the will of that people, take possession of their country, and kill and burn as much as may be necessary for the purpose of that possession and permanent occupancy?"

CHAIRMAN. That is a hypothetical argument.

or McCOMAS. That is an argument and not a question.

p THOBURN. I think there was another question.

Enographer continued to read as follows:

or p THOBURN. You ask that question seriously?

or PATTERSON. Indeed I do.

or p THOBURN. It is very difficult to answer it seriously. Every nation should depend on itself—on its own merit. What might be right in

one case would be very wrong in another. The American Government has repeatedly bombarded towns and different coasts. Once it made a military attack on Korea and immediately withdrew. What is right in one place is wrong in another.

“Senator PATTERSON. Does man determine what is right and what is wrong, or does Providence determine what is right and what is wrong?”

Senator BEVERIDGE. Now, Mr. Chairman, I not only object to the question but this whole line of inquiry which has been proceeding five minutes. Indeed, it is not a line of inquiry at all; but it is a series of questions which—I must use strong language—must outrage the feelings of all considerate men. Here is an eminent bishop of the Methodist Church in charge of the Indians and Malaisian districts of that church. He has testified as to his information, and has given his opinions, and in answer to inquiries has introduced generalizations from his experience in that eastern country. This examination is not going into the test of whether those generalizations are correct or not, but is an irreverent cross-examination as to the Bishop's interpretation of God and His actions in specific incidents, into rights and wrongs; and the whole course of this inquiry I protest against.

The CHAIRMAN. The Bishop answered that first question fully.

Senator CARMACK. I do not think the slightest disrespect has been shown, and I do not think that Senator Patterson feels any disrespect or has indicated any.

Senator BEVERIDGE. I am not accusing Senator Patterson of disrespect; but wait until the record is printed and you will see from reading it how this appears.

Senator PATTERSON. I have not intended any disrespect and have not asked anything that was not, in my opinion, perfectly proper.

The CHAIRMAN. The last question which is now before us is a purely theological question, it seems to me.

Senator DUBOIS. I am simply a layman, and you must have some leniency with me when it comes to law questions, but as a layman will say this: The Bishop testified that it was his belief that we were in the Philippines by the direct will of God. It seems to me that we have a perfect right to ascertain, if we can, on what he bases such belief, and that we have a right to go into a question of this kind—

Senator BEVERIDGE. Nor do I object to that, Senator Dubois. The inquiries do not go to that point.

Senator PATTERSON. The trouble with the Senator from Indiana is that whenever an investigation becomes troublesome he objects.

Senator McCOMAS. I think the question ought to be withdrawn, and if it is not, that the objection should be sustained. The Bishop brought here by this committee, not by his desire. Since I have been in the room I have been amazed and discomforted by the character of the interrogatory. I speak not of their intent, but the effect of it has been most displeasing, and now it culminates in this irrelevant and I think, rather impertinent theological inquiry. This committee does not do any good work in this direction, and I think it is a good idea to stop this very objectionable examination.

Senator DUBOIS. I would like to ask the Senator from Maryland: He objects to the Bishop testifying that he believes that we are in the Philippines by act of God?

Senator McCOMAS. I am not here to be interrogated.

Senator DUBOIS. And does it not follow, since he has testified to that, that we have the right to question him along this line?

Senator McCOMAS. But I do object to the question that is pending, no matter whom it is asked by.

Senator BURROWS. He has testified that he believed that it was providential our landing in the Philippines.

Senator DUBOIS. Yes; he went into it quite elaborately before you were here.

Senator PATTERSON. Immediately before this question I asked a question of the witness, which left it in doubt in my mind as to whether it was man or Providence that was disposing of matters in dealing with nations and people. If the stenographer will go back a few questions I think it will be shown that I am right.

Senator BEVERIDGE. Let us stick to this question.

The CHAIRMAN. Does the Senator from Colorado consider that that is a question to which the bishop can testify as a matter of fact or as a matter of belief?

Senator PATTERSON. I have no doubt in the world that the witness, or somebody else, thought, first believing it was true, that it would be very effective for a statement to be made by a bishop of a Methodist Church that the American Army was in the Philippines by the act of God.

Senator BEVERIDGE. Did not President McKinley state substantially that?

Senator PATTERSON. I am not a witness, and it makes no difference whether he did or not; and if President McKinley could possibly be on the witness stand, if he had made that statement he would not object to the most rigid examination for the purpose of the committee, as well as the country, knowing what he meant. Now, we are all in the best of part and the best of humor, and I submit, Mr. Chairman, that where a broad statement of that kind is made that we have a right in good faith to find out by any reasonable, fair, and possible means the basis of the witness differentiating between the acts of man and the acts of Providence. That is the way I feel about it.

Senator BEVERIDGE. Mr. Chairman, so far as I am concerned, I have no objection to the gentleman asking the bishop any number of questions as to what it is upon which he founded his belief, if he testified that he believed we were in the Philippines by the will of God; but this is not what the questions of the Senator from Colorado for the last ten minutes have been directed to, as the record will show.

Senator PATTERSON. I have no doubt in the world but that if the minority Senators would propound questions in exact accord with the ideas of the Senator from Indiana we would have no trouble from the Senator from Indiana.

Senator BEVERIDGE. And you would have far less trouble from yourself.

Senator PATTERSON. We have no trouble from myself.

Senator BEVERIDGE. Not yourself; but the general attitude of the side.

Senator PATTERSON. But it is perfectly clear that if the committee will adopt a rule that we must first get an outline from the Senator from Indiana, or from a majority of the committee, upon which our examination shall proceed, if we are compelled to do that then we will try to adapt ourselves to that ruling; but until that is done we must be

permitted to determine for ourselves the line of examination we shall pursue for the purpose of eliciting the truth.

The CHAIRMAN. Bishop Thoburn, in the course of his testimony, said that he should say, speaking as a bishop in charge of missions, that we went there providentially. He put it simply as the manner in which he should state it. He is now asked not a question in regard to the Philippines, not why he thinks we are providentially there, but he is asked to testify to this committee as to his belief in God and an overruling Providence.

Senator PATTERSON. No; he is not.

The question was repeated by the stenographer as follows:

“Does man determine what is right and what is wrong, or does Providence determine what is right and what is wrong?”

Senator BEVERIDGE. And the answer to that question does not tend to throw any light upon the Bishop's original statement.

The CHAIRMAN. I do not feel, for one, that I am here to question the Bishop as to the reason for his faith or belief.

Senator BEVERIDGE. Nor am I.

The CHAIRMAN. And if that question is undertaking to make him testify as to the ways of God and man, as I understand it, it is not proper.

Senator CARMACK. He has already testified as to his belief in the ways of God and man; he has already testified that he went to the Philippine Archipelago in obedience and practically under the instructions of God Almighty.

Senator PATTERSON. He said God has put us there.

Bishop THOBURN. Will you allow me to interject?

Senator CARMACK. Certainly.

Bishop THOBURN. I did not give that as testimony. I said if you will allow me to speak as a missionary. That permission was granted; and then I said that is my belief, using belief in the sense of view. I am not here to give testimony about God.

Senator McCOMAS. Now, the question has been discussed and ruled upon.

Senator PATTERSON. One more question and I will be through. What did you mean when you said that all races would do better to work out their own destinies?

Bishop THOBURN. Simply as a matter of history, I think I hardly know——

Senator BEVERIDGE. That was in reference to the question of amalgamation. I will call his attention to that.

Bishop THOBURN. Yes. Work out mentally and physically; that is, it is better to work that out on their own line than with another race. I made a slight exception in the case of the Chinese.

Senator PATTERSON. Did you mean that all races in the broad sense would do better and should be permitted to work out their own destinies?

Bishop THOBURN. Physically, I meant.

Senator PATTERSON. And do you limit it to physical?

Bishop THOBURN. I did then.

Senator PATTERSON. And do you now?

Bishop THOBURN. I would rather not answer that question until I know exactly what you mean.

Senator CARMACK. How long have you been engaged in the missionary work in the East?

Bishop THOBURN. Forty-three years.

Senator CARMACK. Where have you been located most of that time?

Bishop THOBURN. In northern India, in the mountains in Oudh, and in Bengal and Bombay.

Senator CARMACK. Are you personally acquainted with Dr. John Henry Barrows?

Bishop THOBURN. I am.

Senator CARMACK. Are you familiar with his writing on the question of Christian missions?

Bishop THOBURN. I can not say that I am. I am not aware that I have read anything of his.

Senator CARMACK. Have you read a book of his on Christian missions in the East?

Bishop THOBURN. No.

Senator CARMACK. He spent some time there?

Bishop THOBURN. About two months in India, according to my recollection.

Senator CARMACK. And went through there examining the missionary work, did he not?

Bishop THOBURN. I suppose he did.

Senator CARMACK. And in conference with the various missionaries abroad?

Bishop THOBURN. Yes, and preached for me while he was there.

Senator CARMACK. I will ask you if you are familiar with his statement in the book to which I have referred, that the American missionary in the East has been much more successful than the missionaries of European countries?

Bishop THOBURN. I am not aware that he said so. I am not surprised to hear it.

Senator CARMACK. You think that is the fact?

Bishop THOBURN. That is——

Senator BEVERIDGE. I do not think it is fair to ask him to institute a comparison between his people and other people engaged in the same good work.

Senator CARMACK. There is nothing offensive in that.

Senator BEVERIDGE. They work in accord, and to ask the Bishop at the head of one country, at the head of his church there, to say he is superior to the others is not very pleasant.

Senator CARMACK. I suppose his work is independent of those other nations. You say you are not surprised at that statement of Dr. Barrows?

Bishop THOBURN. Not coming from an American. He would naturally be a little partial. A European missionary would reply that we do certain kinds of work which they do not. For instance, in the work of translation I should say the English Baptists are the leading nation, and in educational work the Scotch Presbyterians stand first. When you speak of evangelism, I think America stands first.

Senator CARMACK. I will ask you if you are familiar with his statement that the reason of the greater success of the American missionary over the missionary from Europe generally is largely due to the fact that the American missionary has never been considered as a forerunner of conquest and the sword?

Bishop THOBURN. I did not see the statement. I would not put it that way. Yet there is the basis of truth in what he says. The fact

that we are not associated with the Government at all is an advantage to us.

Senator CARMACK. Are the English missionaries directly associated with the Government?

Bishop THOBURN. Certainly; those connected with the clergy of England belong to the established governmental church.

Senator CARMACK. But the missionaries in the East from Europe are not confined to the Church of England or to established churches generally, are they?

Bishop THOBURN. The Church of England is the leading missionary society, has the leading missionary society under it. In fact it has two great societies there. I think in the main the people of India undoubtedly like the American missionaries. I think there is no doubt about that.

Senator CARMACK. Better than they do the English missionaries!

Bishop THOBURN. You will excuse me from saying anything like that.

Senator DUBOIS. I will state it as a fact myself and ask you. Do not the people like the Americans better than any other foreigners, no matter whether they are missionaries or not?

Bishop THOBURN. Mr. Corwin, who was a dark man, was asked if he was an abolitionist. He replied that it was not a fair question to ask a man of his color.

Senator BEVERIDGE. This superior success of American missions is due in some degree, is it not, to the greater adaptability of the American character any place on earth?

Bishop THOBURN. You print these questions, gentlemen?

Senator BEVERIDGE. Yes.

Bishop THOBURN. It would be very awkward if I were to say what I think about all these matters.

Senator CARMACK. Any question which I put that is at all embarrassing, if you will indicate it to me I will withdraw it. I do not wish to press any question which is embarrassing; I want to be perfectly courteous. I do want to get information, however, which I think valuable; but if to answer any of the questions that I put would be in the least embarrassing, please indicate it.

Bishop THOBURN. I have no objection to the question; but you can see in a moment——

Senator CARMACK. I can see that.

Bishop THOBURN. I would like to answer the question because it is very interesting; but I think under the circumstances you will not press it.

Senator BEVERIDGE. That was precisely the reason I called the Senator's attention to the position of Bishop Thoburn a few moments ago.

Senator CARMACK. But you say there is a basis of truth in Dr. Barrows's statement that the ideal among the people abroad that the American nation is not a conquering nation and it is not going abroad for the purpose of conquest does have a good effect?

Bishop THOBURN. No; I do not put it in that way. What I say is this, that it is an advantage to a missionary not to be connected with the government of the country, in a foreign land.

Senator CARMACK. Why is that? Is it not for the reason suggested by Dr. Barrows?

Bishop THOBURN. It is for the reason that he is necessarily a disinterested party. That is the idea; at least, I have found it so.

Senator CARMACK. Why do they have objection to a missionary being connected with the Government?

Bishop THOBURN. For instance, in India it was given out after the mutiny some forty years ago that the Government was sending missionaries there in order to corrupt the people. They have had all manner of stories put out every now and then in all Eastern countries, that they want to get up schools in order to kill the children and make medicine out of their eyes and send it to England, and all that. So a foreigner who is there without any connection with a government has an advantage, and I mention that as one illustration. And necessarily he seems to be a man who has no selfish purpose. I have a very high esteem for the English missionary societies, and do not want to say a word that could be interpreted against them in any way.

Senator CARMACK. Do you not think, though, the fact of their connection with a government engaged in conquest has its effect on the people in prejudicing them against missionaries?

Bishop THOBURN. The present generation in India do not know that the English Government is engaged in conquest. They have never seen war. We have in India 300,000,000 people living in absolute peace. They have not had an opportunity of seeing war for forty-five years.

Senator BEVERIDGE. And is not this—this long period you speak of—the first time in the history of India that that has been so?

Bishop THOBURN. Yes; that is something worth studying.

Senator CARMACK. How many Christians are there in India?

Bishop THOBURN. Between 2,000,000 and 3,000,000.

Senator CARMACK. There are 300,000,000 people there?

Bishop THOBURN. Yes, sir.

Senator CARMACK. What is the faith of the majority of those Christians?

Bishop THOBURN. Of the Christians? The majority of them are Roman Catholics. That dates away back to the Portuguese era. There is a large community that belong to the Syrian Church, and they have been there for centuries. I think the Protestant—

Senator CARMACK. What is the date of the Catholic mission there?

Bishop THOBURN. They have been there for three centuries. I do not know the exact date.

Senator CARMACK. Now, what were you going to say about the Protestants?

Bishop THOBURN. They number about 600,000 at the last reckoning. I was simply telling out the figures.

Senator CARMACK. Christianity is of quite ancient date in India, then?

Bishop THOBURN. Very ancient.

Senator CARMACK. And the foundation of it was laid centuries ago?

Bishop THOBURN. That is not called missionary work at all.

Senator BEVERIDGE. You are now going into a question of missions and the mission policy in general and mission history in general. I hardly think that you yourself will consider that is proper.

Senator CARMACK. Very well; I am done with it. I want to ask you this question. Do you think the people of the Philippine Islands are better disposed now to receive mission work from the United States than they were at the end of the war with Spain?

Bishop THOBURN. I think they are.

Senator CARMACK. You think their temper and disposition more

favorable to the reception of Christian missions at the hands of the United States than it was at the close of the Spanish war?

Bishop THOBURN. I think so, undoubtedly.

Senator CARMACK. You think they feel more kindly to the American people now than they did before this American war began?

Bishop THOBURN. I think so.

Senator CARMACK. You think that at the time when the power of Spain was first broken, when the Americans, say, first landed in Manila or when they destroyed the Spanish fleet, do you think the feelings of the Filipinos at that time were less kindly toward the Americans than they are to-day?

Bishop THOBURN. I certainly do.

Senator CARMACK. You think that the people there now are very kindly disposed toward Americans?

Bishop THOBURN. I can only judge from what we see in our mission work. We can not furnish preachers enough to preach to the audiences who wish to hear our preaching, we can not half meet the demand. When I was there at first it would have been difficult to have collected an audience of 100. Now we are preaching to 12,000 people in Manila and vicinity every Sunday. Then in the provinces outside we can not meet the demand at all; nor can we meet the demands for schools.

Senator CARMACK. You think, then, the opinion, if it prevails anywhere, that the overwhelming majority of the people of the Philippine Islands are at heart hostile to the people of the United States is a mistaken notion?

Bishop THOBURN. Yes; I think it is among the quiet people.

Senator CARMACK. Do you think that the large majority of the people are really intensely loyal to the Government of the United States?

Bishop THOBURN. I do not know that I would say intensely loyal. That is a pretty strong phrase.

Senator CARMACK. Entirely content, then?

Bishop THOBURN. I was about to say that I think they want quietness and, above all things, peace, and they are thankful to have it come in this shape. I do not know whether they have thought out the problem much about the future. I am speaking of the rank and file of the people.

Senator DUBOIS. When you speak, Bishop, of your preaching to 12,000 every Sunday, I think you said——

Bishop THOBURN. Yes; that is, the audiences average that.

Senator DUBOIS. Does that include the missionaries of all denominations, or simply your own?

Bishop THOBURN. Simply our own.

Senator DUBOIS. Just the Methodist?

Bishop THOBURN. Yes, sir.

Senator BEVERIDGE. In Manila?

Bishop THOBURN. And vicinity.

Senator DUBOIS. I did not know whether he meant just his own church.

Bishop THOBURN. My own church. There are three or four missions there.

Senator CARMACK. You think, then, the temper of the majority of the people in Manila is toward quietude; that there is no deep-seated feeling of hostility toward the United States?

Bishop THOBURN. If so, it is very successfully concealed. I think what they want is quietness—peace. They want to get settled in their work.

Senator CARMACK. Do you regard them as a treacherous people or otherwise—a people that profess to be friendly when they are really hostile?

Bishop THOBURN. I do not like to speak broadly in reply to that question, but I am afraid I will have to say I do.

Senator BEVERIDGE. In view of the Bishop's work there among the people I do not think he should be asked to answer that question.

Bishop THOBURN. I have already indicated that.

Senator CARMACK. I thought he said that in reply to a previous question.

Senator CULBERSON. He has said that.

Bishop THOBURN. But his question is a little more personal; the other referred to the Malay people in general.

Senator CULBERSON. I think we ought to have his answer to this question.

Bishop THOBURN. I answered that pretty fully.

Senator CARMACK. Speaking of the broad principle, I believe you said that you do not think it would be wise for us to incorporate the Filipinos into the body of our citizenship.

Bishop THOBURN. I have hesitated over that question a good deal to know exactly what you mean by that. That is, in the sense to say I am in the citizenship, I do not think it would be.

Senator CARMACK. You think they should be governed as a dependency, somewhat after the Crown colonies of Great Britain?

Bishop THOBURN. Speaking broadly, I do.

Senator CARMACK. Do you think the Filipinos will be satisfied with that form of government?

Bishop THOBURN. Provided you hold out before them continually and practically the idea they are going to have broader privileges as time passes.

Senator CARMACK. What do you mean by broader privileges? Do you believe they will be satisfied with a vague and indefinite statement as to broader privileges?

Bishop THOBURN. I would give them a larger share in the government. I think you have gone a little too fast.

Senator BEVERIDGE. What do you mean by that?

Bishop THOBURN. For instance—I compare everything naturally with India—the British Government is more and more liberal as years go by, but they do not go as fast as we have gone. You have a Filipino chief justice in the islands there. It struck me as the most extraordinary appointment, and in India, after a hundred years or more, the British Government of India have now put on the supreme bench a judge here and there, but the chief justice idea would startle them.

Senator CULBERSON. But this Filipino is hedged about with a majority of Americans, is he not?

Bishop THOBURN. Still he is the chief justice of the islands.

Senator CARMACK. He has no special power by virtue of his being chief justice, has he?

Bishop THOBURN. I am not a lawyer. But it would startle the British authorities in India if you would talk about appointing a chief justice from among the natives.

Senator DUBOIS. Is there a Filipino chief justice?

Senator BEVERIDGE. Yes, Arellano; and a Filipino solicitor and a Filipino attorney-general.

Senator CARMACK. Did you say that the Filipinos would be satisfied to be held and governed as a dependency of the United States, something like a British dependency or Crown colony, provided that the hope was held out to them of broader privileges? I understand you to say that this hope must be in the form of some definite promise, and not simply a vague, indefinite promise?

Bishop THOBURN. No; I would leave it a broad policy, to be taken charge of as circumstances might indicate.

Senator CARMACK. But is it not important, if we are to hold them indefinitely, that they should have some understanding as to what their future privileges are to be?

Bishop THOBURN. Yes, in a broad way; but you can not definitely promise to do a certain thing within a certain number of years—you do not know what may happen.

Senator CARMACK. Do you think they will be satisfied with that condition of things?

Bishop THOBURN. I think so.

Senator CARMACK. Without any authoritative statement whatever on the part of the Government indicating that they will ever have any broader privileges than they have under the present conditions, or under the law about to be enacted, that without any such authoritative statement on the part of this Government they will be satisfied to be governed in that way?

Bishop THOBURN. I think they ought to be satisfied.

Senator CARMACK. But will they?

Bishop THOBURN. That I could not answer any better than you could yourself.

Senator BEVERIDGE. It is a question of evolution, is it not?

Bishop THOBURN. Yes; a question of evolution.

Senator CARMACK. Yes; but forcing evolution is one thing and letting evolution alone is another.

Senator BEVERIDGE. That is just the point; you have put it exactly.

Senator CARMACK. If the leading Filipinos, practically all the Filipinos who are friendly to the United States and who support the sovereignty of the United States, should unite in a statement to Congress that they never will be satisfied to be held as a dependency or as a colony, that they will not be satisfied with anything that resembles a colonial form of government, and say that to impose such a government on them would result in chaos and violation and disorder and anarchy, would that in the least change your opinion?

Senator BEVERIDGE. I will ask you, Senator, to include in that question the statement that this statement that you repeat to the Bishop and made by the Filipinos was understood by them to mean the same government that they had under Spain. That has been testified to by General MacArthur.

Senator CARMACK. No; I will put it as it was put—that they would not be satisfied with anything that smacked of a colonial government, and that they would not be satisfied with anything less than a Territorial form of government like that which we have established for our Territories, with full rights of American citizenship and full constitutional rights, with the promise of eventual admission to statehood in the American Union.

Senator BEVERIDGE. And you will also do the Bishop the justice to state that General MacArthur states that they meant by that——

Senator CARMACK. That is not at all proper. I have a right to frame my own question.

Senator BEVERIDGE (continuing). That they meant the government that they had under Spain.

Senator CARMACK. I have no right to assume that they meant anything except what was said.

Senator PATTERSON. I ask again that we be allowed to frame our own questions without interruptions on the part of the Senator from Indiana.

Senator ALLISON (acting chairman). It is past the hour for adjournment.

Senator BEVERIDGE. You were asked, Bishop, about your familiarity with American newspapers. Have you read the Rocky Mountain News and the National American?

Bishop THOBURN. I am sorry to say I have not seen them.

Thereupon, at 12.15, the committee adjourned until to-morrow, Friday, April 23, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *May 23, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman and Senators Beveridge, McComas, Burrows, Dietrich, Carmack, Culberson, and Dubois.

STATEMENT OF BISHOP JAMES M. THOBURN—Concluded.

The CHAIRMAN. I was compelled to leave the room yesterday before the conclusion of the session, and I do not know how far we had gotten with the examination of Bishop Thoburn.

Senator CARMACK. I was examining him when the hour came for adjournment. There was a question that I asked just before the adjournment which was not answered, and I will repeat it, substantially.

You said, I believe, that you thought the Filipinos would be satisfied to be held and governed as a dependency of the United States, something like a British dependency or a Crown colony; that you thought they would be satisfied to be governed in that way, with the hope of securing broader privileges in the future?

Bishop THOBURN. I believe so.

Senator CARMACK. And I would ask you if practically all the leading Filipinos who are friendly to the United States and who support the sovereignty of the United States should unite in a memorial to Congress, and in that memorial should plainly state that the people of the Philippine Islands would never be satisfied with a colonial form of government or anything that smacked of a colonial form of government, or with anything less than full Territorial rights, such as are given to our own Territories in the United States, with the rights of American citizenship and the promise of future admission to statehood in the Union, would that tend to qualify your opinion as to the readiness of the Filipinos to accept a condition of colonial dependency?

Bishop THOBURN. I do not think it would. The most important of

those conditions that you have put in is that of being incorporated into the Union as a State of the Union. I do not think that is in their ideas at all, and I do not think that the American people would ever so consent.

Senator CARMACK. You say you do not think that is in their ideas at all?

Bishop THOBURN. I do not think so.

Senator CARMACK. But if a party there, which, according to Governor Taft, comprehends practically all the people, are friendly to the United States, and including the three native members of the Philippine Commission, should unite in a very urgent request to that effect, it would seem to indicate that it is in their minds, would it not?

Bishop THOBURN. Yes, sir; that would indicate it. Still I do not think it would be in the minds of the people of the United States.

Senator CARMACK. No, I do not think it is myself; not many of them; but I was speaking of the state of their feelings and their views. You said, I believe, yesterday—I do not know whether you want to say this or not, Bishop—that the Filipinos are naturally treacherous toward the United States, that their real feelings are——

Bishop THOBURN. I did not say treacherous toward the United States. I said treacherous in their character.

Senator CARMACK. Yes; treacherous in their character, and it is difficult to learn what their real feelings are.

Bishop THOBURN. That is true of all the Orientals?

Senator CARMACK. That is the characteristic of all the oriental races.

Bishop THOBURN. Yes.

Senator CARMACK. You said, I believe, that you thought that the Filipinos were of a better temper and better disposition to receive missionary efforts from the United States than they were before hostilities between them and the United States began?

Bishop THOBURN. You mean just the little period before the hostilities began? I know nothing about their feelings in that period. What I had in mind was that they are much more favorably disposed toward us than when I was there first. That was just after hostilities commenced.

Senator CARMACK. Just after hostilities had commenced?

Bishop THOBURN. Yes.

Senator DUBOIS. By "us" you mean the Methodist Church?

Bishop THOBURN. No; I mean the American people.

Senator DUBOIS. Not the missionaries?

Bishop THOBURN. Not the missionaries.

Senator CARMACK. That is what I understood him to mean.

Senator DUBOIS. Then I did not understand him.

Senator CARMACK. If it should appear from the statement of our leading generals and others in authority there that the great body of the Filipinos throughout the archipelago are at this time bitterly hostile to the United States Government and are filled with hatred for the American people, and if it should appear that a short while prior to the outbreak of hostilities their feeling toward the United States was one of intense love and gratitude, then you would not say that they are in better condition now to receive missionaries' efforts than they were at a former time, would you?

Senator BEVERIDGE. I object to this question because it asks an inference, which might as well be asked of the chairman of the com-

mitte or any other intelligent person. He is not asking the Bishop for anything within his knowledge, but if a condition should seem to exist and if another condition would seem to exist, if their state of mind was one of friendship at one time and intense hostility at another time, would not the inference be so and so?

Senator CARMACK. I will let the chairman rule.

The CHAIRMAN. I think it is fair to ask his opinion; he need not give his opinion if he has none.

Bishop THOBURN. What was the question?

(The question was repeated by the stenographer.)

Bishop THOBURN. Nobody can say that, because at the time before the outbreak of hostilities nobody had been out in the island to see; there was no possible way to gauge the feeling of the people.

Senator CARMACK. There was a large army assembled there, was there not?

Bishop THOBURN. There was an army in Manila.

Senator CARMACK. And outside of Manila, about Manila.

Bishop THOBURN. Not more than 2 or 3 miles.

Senator CARMACK. The sentiment and feeling of that army could be well understood, could it not?

Bishop THOBURN. I suppose so, but it would not be worth anything as to the island at large.

Senator CARMACK. That is another matter of inference. Bishop, on yesterday I called your attention to some statements of Dr. Barrows in regard to missionary work in the East. I want to call your attention to one or two passages from his book, which is called the Christian Conquest of Asia. I had the title wrong yesterday. He says:

"I met numerous evidences that American missionaries have an especial advantage over their brethren from other nations, in that they represent this western Republic. I know that we have behaved badly at times toward the Chinese"—

I suppose he means the Government of the United States—

"And that the action of our Government in its exclusion of Chinese immigrants and its disregard of solemn treaty obligations has given offense. But we have the testimony of so experienced an observer as Dr. Martin, of Peking, that the common people of China are well disposed toward us and our Christian representatives, until they are stirred up by members of the official class. If you speak for the causes, and they are many, of the disesteem in which representatives of western Christendom are held by the people of the East, you can not place many of them that are important—I might well say, any of them that are important—to the doors of our American missionaries."

Then, after speaking of England and their work in the East, he continues:

"But, after all, there is a selfish look about much of England's predominance in the Orient and in the southern waters. England's dealings with subject populations, like our dealings with the Indians, have sometimes shocked the moral sense of mankind; and never have I heard such denunciations of England's lust for land as in a great Christian demonstration in the city temple of London. I confess that I felt humiliated when the American Senate rejected the treaty of arbitration, but I know very well that the arguments for distrust of England were then not few nor feeble."

Again, speaking of England—

"Her want of tact, her domineering ways, her fierce jingoism, have kept from her the completer confidence which the better England would surely have gained."

Speaking of our preachers and missionaries in the Orient, he says:

"Other lands are represented by the sword. In India, Great Britain stands for military power and commercial gain, as well as for justice, education, progress, and civilization. Germany is stretching out her strong military hand for the subjugation of the Pacific seas. Spain, Holland, and Portugal have had their eyes and hands on the Orient for centuries. Underneath the Dutch flag are more than thirty millions of people in the great southeastern archipelago. France has planted herself on the island of Madagascar and the fertile lands of Conquin. The American voyager in the East does not see the American flag in the harbors of the Orient as often as he might wish, but I have found the American name beloved and trusted where other names failed to awaken any happy and affectionate feelings."

I call your attention to this, to the statement made by Dr. Barrows that the greater success and the greater popularity of American missionaries in the East has been due to the fact that other lands are represented there by the sword, they stand for military power and commercial gain, and they are stretching out their hands for the subjugation of countries, and so on, and I ask you if it has been at all your observation that the success of the American missionary in the East has been due to such causes and the absence of any purpose at that time on the part of the United States of conquest or subjugation?

Bishop THOBURN. Well, you take Germany, which until a date after that book was written had never attempted to lay its hand on the East, and the German is not as popular as the American, for various reasons. There is something about—it is not very modest to express it that way, but we are all Americans here, I suppose—there is something about the American's manner; he is a good deal less pompous, if I may use that expression, than the average European in his personal address, and he is a more popular man. I can say that among Americans. The Germans at that time, so far as I know, had never made any attempt to lay hands on Asiatic soil.

Senator CARMACK. Here is what Dr. Barrows says on that:

"Germany is stretching out her strong, military hand for the subjugation of the Pacific seas."

Bishop THOBURN. The people there know nothing of the Pacific seas. The Americans are popular in China and always have been since the war, because the soldiers behaved themselves better than any other soldiers, except the Japanese.

Senator CARMACK. You do not think that Dr. Barrows is correct, then, in giving this as one of the reasons for the greater popularity of American missionaries?

Bishop THOBURN. Dr. Barrows is a very intelligent man, and he was making a hasty voyage through southern and eastern Asia, and he would notice a fact, and then he accounts for it as it may suggest itself to him; it is interesting to note his opinions, but I should differ with him a little.

Senator McCOMAS. I would like to ask you one question. I want to read you from page 2017 of the testimony in this committee, an extract from the diary of Dr. Villa, who was chief of staff to Aguinaldo. In this diary, under March 2, 1900, he says this:

"After luncheon and during the hour of rest the honorable president"—

That is Aguinaldo—

"Had a conversation with B. and V. about our situation and the present war against the Americans, saying that even though greater sufferings should come than those we now have, he would endure and accept them with pleasure until the realization of the independence of our country. He fears there will be a civil war afterwards."

I want to know from you whether you agree in that opinion of Aguinaldo and in the fear that there would be a civil war, as he indicates, after the independence to which he aspires.

Bishop THOBURN. I am very sure there would be a civil war if independence is given them; but I doubt it very much under the circumstances.

Senator McCOMAS. And if he had succeeded, would there or would there not have been a civil war, as he feared, in the Philippines?

Bishop THOBURN. I think so.

Senator McCOMAS. Not only a civil war in Luzon, but in all the main islands?

Bishop THOBURN. All over the islands.

Senator McCOMAS. Not easily ended, and the people not easily pacified?

Bishop THOBURN. No.

Senator CARMACK. I will ask you if you do not think there were grave apprehensions of a civil war in the United States immediately following the Revolutionary war?

Bishop THOBURN. There may have been.

Senator BEVERIDGE. There was grave danger, and it was only prevented by the peculiar cohesive qualities of our people.

On the line on which Senator Carmack was questioning you, I think you stated yesterday that you have considerable personal familiarity with India?

Bishop THOBURN. Yes; I have.

Senator BEVERIDGE. Would you, as a person interested in civilization, be willing to see England withdraw from India?

Bishop THOBURN. I should be very sorry.

Senator BEVERIDGE. What do you think, Bishop, would occur if England were to withdraw from India, and all other control except the chiefs, the people themselves, withdrawn, and they left to themselves?

Bishop THOBURN. We would have a state of chaos.

Senator BEVERIDGE. Are you familiar with the Straits Settlements?

Bishop THOBURN. Very.

Senator BEVERIDGE. Would you be willing, as a person interested in civilization, to see England withdraw from Singapore and the Straits?

Bishop THOBURN. I should be extremely sorry.

Senator BEVERIDGE. I think you testified yesterday that under England's control of the Malay Straits Settlements there is industry, prosperity, and law and order?

Bishop THOBURN. Perfectly.

Senator BEVERIDGE. The city of Singapore is a great and flourishing port, is it not?

Bishop THOBURN. It is one of the most wonderful cities in the world.

Senator BEVERIDGE. The commerce of the world converges there, does it not?

Bishop THOBURN. Every European vessel going to China must pass it.

Senator BEVERIDGE. It is one of the great commercial focusing points of the world?

Bishop THOBURN. If I may use the expression, it is the great nerve center of commerce.

Senator BEVERIDGE. Not more than sixty or seventy years ago the island where Singapore now stands was a jungle, and the Malay Straits Settlements, now peaceful, were infested by pirates, were they not?

Bishop THOBURN. Pirates and tigers.

Senator BEVERIDGE. Are you familiar with the German settlement at Kiung Chau?

Bishop THOBURN. No; I am not.

Senator BEVERIDGE. You are not familiar with the fact that the people within the German lines are receiving higher wages than ever before in the history of China?

Bishop THOBURN. No.

Senator BEVERIDGE. You do not know about that?

Bishop THOBURN. No.

Senator CULBERSON. I dislike to oppose an objection to the form of questions, but I think the chairman can see that the Senator from Indiana is testifying rather than the distinguished bishop.

Senator BEVERIDGE. Oh, no; I am not. The Senator not only knows that this question is proper in form, but it is strictly within the legal form, as I have made a point to put them since he first insisted on a legal form of questions in the committee.

Senator CULBERSON. I had occasion yesterday to object mildly to the questioning of the Senator from Indiana, and I have been looking the record over this morning, and I find his questions are strikingly leading. The bishop knows more about that country, I take it, than any member of the committee, and I would be very glad to have his opinions, but the Senator from Indiana ought not, I think, both in justice to the bishop and in justice to the committee, to undertake to testify instead of allowing the bishop to testify.

The CHAIRMAN. It seems to me he has a right to ask whether wages have risen in Kiung Chau.

Senator CULBERSON. It is proper to ask him how the wages now compare with the wages at other times.

Senator BEVERIDGE. The Senator from Texas is a lawyer, and knows very well that my question is both proper and pertinent... that it is in exact legal form.

Senator CULBERSON. I do not wish to take up the time of the committee, Mr. Chairman, with objections, but I have to insist that the Senator from Indiana shall allow the witness to state what he knows about these matters, and I know he knows a great deal, and we want to hear it.

Senator BEVERIDGE. If you will not interrupt, you will hear a great deal. Upon that point I wish to make a statement about this form of questions. The Senator from Tennessee read a portion of a book that has been done by the minority here without objection from any of us

a great many times, and they have put long hypothetical questions, comprising a large number of statements, and ending with "Is that true, or is that not true?" Not only that, but the Senator from Tennessee, this morning, who tells us he is not a lawyer, but who has many natural legal gifts, puts a question, a statement of fact and the contrary statement of fact, and then asks an inference.

That question would not have been permitted in a court. Now, the series of questions that I put go directly to the meat of the question which Senator Carmack asked; they are not only pertinent, they would not only be permitted in a court of justice, but the form of them, as the Senator from Texas better than anybody else in this room knows, is entirely within the customary form of legal questions. And I have been careful to do that, although this is simply a committee investigation, ever since the Senator from Texas showed his legal solicitude.

(The question was repeated by the stenographer, as follows:)

"Senator BEVERIDGE. You do not know about that?"

"Bishop THOBURN. No."

Senator BEVERIDGE. I have no desire to ask you any questions on which you are not posted.

Bishop THOBURN. I know little of North China.

Senator BEVERIDGE. You have been in Hongkong?

Bishop THOBURN. Yes.

Senator BEVERIDGE. What kind of a city is Hongkong?

Bishop THOBURN. It is a hustling city.

Senator BEVERIDGE. Is it substantial?

Bishop THOBURN. It is a substantial, prosperous, rich, and thriving city.

Senator BEVERIDGE. Personal rights in the sense of the individual liberty of people being protected, Chinese and others, exists there?

Bishop THOBURN. Certainly.

Senator BEVERIDGE. In the highest form?

Bishop THOBURN. In the highest form. There is more protection to a poor man there than in Chicago.

Senator BEVERIDGE. Are the courts open to all, Chinese included?

Bishop THOBURN. Everybody.

Senator BEVERIDGE. And schools there are attended by Chinese children?

Bishop THOBURN. Yes; attended by Chinese, and I have employed some of the graduates.

Senator BEVERIDGE. Would you state, if you know, the condition of the rocky mountain on which Hongkong stands, less than two generations ago?

Bishop THOBURN. That I could not say.

Senator BEVERIDGE. You do not know about its history?

Bishop THOBURN. No.

Senator BEVERIDGE. I can state for the benefit of the Senator from Texas if the Senator reads books I can certainly make statements—that the place where this English city now stands was a barren mountain with a miserable little Chinese fishing village at its base.

Senator DUBOIS. Mr. Chairman, I wish to state that I am thoroughly in sympathy with the Senator from Indiana, and after he gets through I will ask a few questions on the same line, to show that we have both had the opportunity of visiting that country, and we must not let this opportunity pass.

Senator CULBERSON. If the Senators from Indiana and Idaho get it in the record that they have been there I shall not object.

Senator DUBOIS. Mr. Chairman, I will not lose such an opportunity.

Senator BEVERIDGE. I think the question put by the Senator from Tennessee about India, followed by the questions as to whether he would have England withdraw, are most important and pertinent—and about the Malay Straits, too—and if he does not know about Germany and Kiung Chau, I will not question him. That is all I have to ask.

Senator DUBOIS. You stated yesterday you had been a missionary among the Malaysians for forty-five years.

Bishop THOBURN. Oh, no, a missionary in the East; but I had only known the Malays, except a little settlement in Calcutta, and what I had seen in Ragoon, since 1885.

Senator DUBOIS. Seventeen years, and I think you said—if I am wrong you can correct me—that the Malasians, no matter where they were, were of the same nature and characteristics.

Bishop THOBURN. In their main characteristics I should say they are. Of course there are differences, but there are differences in the Anglo-Saxon race. The differences there are much more accentuated, because they live more apart.

Senator DUBOIS. Would you think there was any more difference between Malays in one portion of the East and in another than there is between the Americans in California and Louisiana?

Bishop THOBURN. Oh, very much more.

Senator DUBOIS. There is much more difference?

Bishop THOBURN. Much more; they speak different languages. As I said yesterday, there are 36 languages that have been tabulated there.

Senator DUBOIS. Is there more difference in the intellectual and moral development than there is between the peoples of Louisiana and California?

Bishop THOBURN. Yes; there is much more. In some places they are much more civilized than others. Some places they are Mohammedans and some places they are not Mohammedans.

Senator DUBOIS. I understood you to say that there was practically no difference between the Malasians, no matter where they were!

Bishop THOBURN. No; I would not say practically no difference. There are differences, marked differences, such as would provoke hostility among themselves.

Senator BEVERIDGE. There are common characteristics of character, are there not?

Bishop THOBURN. Yes. I mentioned this yesterday. Just as the American Indians have great differences, and yet certain marks go through the whole list.

Senator DUBOIS. What I want to get at is this: Whether the Malaysians, in some places, have not had different opportunities, more favorable, perhaps, than those in other places, and are much more advanced morally and intellectually than those who have not been afforded such opportunities?

Bishop THOBURN. To some extent, of course. That would amount to something as a factor.

Senator DUBOIS. You said yesterday—I will read this, because it is short:

“But I think, if you will allow me to say it, that that is the tendency of the world to-day, that all outlying uncivilized or half-civilized com-

tries are going to come under English jurisdiction within the next one hundred years."

Bishop THOBURN. Instead of the United States I should have said European. I have already indicated that change to be made, to the stenographer.

Senator DUBOIS. I will read the answer, then, as corrected:

"But I think, if you will allow me to say it, that that is the tendency of the world to-day, that all civilized or half-civilized countries are going to come under European jurisdiction within the next one hundred years."

Senator BEVERIDGE. You mean European or civilized?

Bishop THOBURN. I mean European in the sense of civilized.

Senator DUBOIS. You mean white domination?

Bishop THOBURN. I suppose you would call it white domination in the South; it is our style of things.

Senator DUBOIS. I am not quibbling at all.

Bishop THOBURN. I do not wish any phrase used that might be taken advantage of—

Senator DUBOIS. I understand perfectly, and I have your idea. I think. Now, will you tell me, and name them, what countries are peopled by Malaysians? Name the Malaysian countries in the East, if you please.

Bishop THOBURN. Begin on the eastern end, or a little farther than the eastern end of the island of Java, and draw a line that will leave the Celebes on the west and leave New Guinea on the east and on up, and circle the big island of Borneo and the whole of the Philippines, and come back again with your line to the southern end of the Malay Peninsula, and then the whole of the Malay Peninsula is included, and that makes the home of the Malay.

Senator DUBOIS. What would you say about the Japanese?

Bishop THOBURN. They are not Malays.

Senator DUBOIS. They are not Malays?

Bishop THOBURN. Not at all.

Senator DUBOIS. Are they from Malay stock?

Bishop THOBURN. Not at all.

Senator DUBOIS. What stock are they from?

Bishop THOBURN. I was not there when they started out to do business.

Senator DUBOIS. Neither was I, but I know they are of Malay stock.

Bishop THOBURN. If you will give me information, I shall be very glad.

Senator DUBOIS. There is no writer at all who does not say they are a Mongoloid, which means——

Senator BEVERIDGE. No writer says what?

Senator DUBOIS. But what says they are a mixed race with Malays.

Senator BEVERIDGE. I can cite you the most eminent authority in the world to the contrary.

Senator DUBOIS. I have looked up all authorities, and the Japanese are part Malaysians and part Mongolians.

Bishop THOBURN. I am not an expert.

Senator DUBOIS. I will leave that, then.

Senator BEVERIDGE. I am afraid you have left out the most eminent authority of all.

Senator DUBOIS. You can look at this, although I did not think I

would put it in. Would you call the Japanese civilized or half civilized?

Bishop THOBURN. I would call them civilized now, and on the way to enlightenment.

Senator CARMACK. When did their progress and civilization begin?

Bishop THOBURN. Their progress and civilization dates back to the beginning of time. We know nothing of their history until the American occupation.

Senator DUBOIS. Since 1868.

Bishop THOBURN. And their progress has been phenomenal since. I do not know of any other Asiatic race that has advanced except Japan.

Senator CARMACK. Since when.

Bishop THOBURN. 1857, I think.

Senator DUBOIS. 1868.

Senator BEVERIDGE. Do you agree to that?

Senator DUBOIS. Their entire progress, as we understand civilization, dates from 1868.

Senator BEVERIDGE. You ought to look at your own statement earlier in this investigation.

Senator DUBOIS. The country was closed until 1853 and there was no development until 1868.

Senator BEVERIDGE. You have forgotten your own statement on this subject.

Senator DUBOIS. Well, it is all there. I have never doubted that. Well, would you call the Chinese a civilized or uncivilized race?

Bishop THOBURN. If you ask for an accurate definition, we call people civilized who use the plow; but the civilization is somewhat very low, very primary.

Senator CARMACK. When they get beyond the hunting and gathering stage.

Bishop THOBURN. Yes.

Senator DUBOIS. Do you make more progress with your mission work with the Malays than you do with the Chinese and Japanese?

Bishop THOBURN. No; I can not say we do. Our mission work among the Malays has been very brief. The Dutch—that is, the missionaries—have made great progress in the island of Java. They have great many converts there; but I can not say very much about the rest of the country. Those islands I have not visited, some of which are given over to cannibalism yet.

Senator BEVERIDGE. Has not the island of Java, under the Dutch, increased in population from 3,000,000 to 30,000,000?

Bishop THOBURN. Twenty-eight million according to the last figures. It is a very prosperous island.

Senator DUBOIS. That is all I want to ask the bishop at this time.

Senator BEVERIDGE. One question brought out by Senator Dubois's questions. Senator Dubois questioned you very ably concerning the difference between the different portions of the Malay race, as to moral and educational conditions, based upon different advantages with reference to your testimony yesterday. Now, I wish to ask you whether there is not a common characteristic of character among all of them, irrespective of intellectual advancement, a common rule of character?

Bishop THOBURN. Yes; you could say that. There are several characteristics common to the whole of them.

Senator BEVERIDGE. You spoke yesterday of the question of self-government, that a lack of cohesion was one of their characteristics.

Bishop THOBURN. Yes, sir.

Senator BEVERIDGE. That lack of cohesion is common everywhere among them?

Bishop THOBURN. Yes.

Senator BEVERIDGE. However much they differ in other respects?

Bishop THOBURN. Yes; they have always been found in very small states or small tribes under a sultan.

Senator CARMACK. Would you say that the bad qualities of the Malay character appear wherever a Malay is found?

Bishop THOBURN. In some degree, I would say. I do not like to use such a broad expression of any people.

Senator CARMACK. It has not been eliminated by civilization?

Bishop THOBURN. I think not. I would like to speak very qualifiedly about the people of Java, for I have never been there.

Senator CARMACK. You say that personal rights are more secure in Hongkong than in the city of Chicago, you think?

Bishop THOBURN. I think so.

Senator CARMACK. Is that due, do you think, to the government?

Bishop THOBURN. I think it is due largely to the fact that the government is not only not like the government of Chicago, but they have a stronger arm.

Senator CARMACK. Do you think the difference in the security of personal rights in Chicago and Hongkong is due to the difference in the form of government?

Bishop THOBURN. I say it is due to the difference in the administrators of the government.

Senator CARMACK. The difference in the administrators is due to the difference in the form of government, is it not?

Bishop THOBURN. It might be so put, but, as we all know, in Chicago it is not safe to walk the streets at night.

Senator BEVERIDGE. In some parts of the city.

Bishop THOBURN. In some parts of the city. I think it is safe to walk through Hongkong at night.

Senator CARMACK. That is due, is it not, to the difference in the form of government?

Bishop THOBURN. One is elective and the other is—

Senator BEVERIDGE. Hongkong is elective.

Senator CARMACK. The administrators of the law are not elected.

Senator BEVERIDGE. The council is elected.

Senator CARMACK. The executive is not elected.

Bishop THOBURN. I am not quite sure enough to say in regard to that. I have an impression that the police are under the direction of the English governor appointed from home; I am not sure about that, however.

Senator BEVERIDGE. In answer to Senator Carmack you speak of the difference, that there was something of the stronger hand there.

Bishop THOBURN. Yes.

Senator BEVERIDGE. That strong hand is exercised impartially and promptly for the administration of justice to the humblest and poorest, is it not?

Bishop THOBURN. I think it is.

Senator DIETRICH. Is it your understanding that Aguinaldo and

his followers who were almost exclusively Tagalos were the who were very bitter against the Catholic Church?

Bishop THOBURN. Were they the ones?

Senator DIETRICH. Yes.

Bishop THOBURN. They were bitter, but they are not by any means the only ones.

Senator DIETRICH. Do you believe that Aguinaldo and that of the Tagalo tribe could have subjugated the Macabebes, the V the Pampangans, the Moros, and all the balance of the island?

Senator BEVERIDGE. And the Igorrotes?

Senator DIETRICH. And the Igorrotes, to his rule, and could have made out of them an independent, prosperous republic or could he?

Bishop THOBURN. No. I expressed myself yesterday on that point. He certainly could not have done it.

Senator DIETRICH. He certainly would have had to fight the Catholics of the Catholic Church.

Bishop THOBURN. Yes; and he would have had to make up his mind to fight different races that have been named, and he would have come into conflict with the Macabebes. I do not say that Aguinaldo himself made it out, but it would have been inevitable.

Senator DIETRICH. It would have been impossible for him in that situation, you believe, to have brought about an independent government?

Bishop THOBURN. Utterly impossible.

Senator CULBERSON. I ask this from your statement made yesterday that you think the Government of the United States ought to govern the Philippines. Do you believe that a whole people like the Filipinos ought to be subjugated by another government than their own without their consent, by force?

Bishop THOBURN. It depends upon circumstances.

Senator CULBERSON. I believe the fundamental doctrine of the church is moral suasion rather than physical force, is it not?

Bishop THOBURN. I am not answering as a churchman.

Senator CULBERSON. You spoke somewhat yesterday as a missionary, however.

Bishop THOBURN. When I did speak as a missionary, I asked the mission to do so, and in reference to one point.

Senator CULBERSON. We will give you permission now; at least I think we will.

Senator BEVERIDGE. Mr. Chairman, I ask that the last two questions be read, and I object to them.

The stenographer read as follows:

“Do you believe that a whole people like the Filipinos ought to be subjugated by another government than their own without their consent, by force?”

“Bishop THOBURN. It depends upon the circumstances.”

“Senator CULBERSON. I believe the fundamental doctrine of the church is moral suasion rather than physical force, is it not?”

Senator BEVERIDGE. And I object to these two questions.

Senator CULBERSON. I asked him incidentally, so as to frame another question, if the fundamental doctrine of the church was not moral suasion rather than physical force. If the bishop does not desire to answer it, I will not press it.

Bishop THOBURN. I have not expressed any unwillingness to answer it.

or CULBERSON. I so understood it; but if you have not any unwillingness and you feel free to answer it I will be very glad you do so.

or BEVERIDGE. If the bishop wants to answer it, I will with no objection.

or THOBURN. Please put it again.

or CULBERSON. I ask if the fundamental doctrine of the church is moral suasion rather than physical force in accomplishing any

or THOBURN. In reference to Christian work, undoubtedly it is moral suasion; but the doctrine of the Bible, as I understand it, is that we ought to uphold the civil government, and your question is as to the civil government, which the responsibility of the church is to assume.

or CULBERSON. You think it would be the duty of the church to uphold the civil government regardless of the justice of the acts to

or THOBURN. Certainly; it is our duty always to be obedient to the powers that be, to pay our taxes like other people, pray for the King, or the King, or whoever is in authority. We always uphold the government.

or CULBERSON. Does that necessarily mean that you should uphold the government?

or THOBURN. No; that does not make us responsible; it does not bind us at all; it belongs to the civil authorities.

or CULBERSON. I will ask you, then, aside from your sacred duty, if you believe as a citizen that a whole people like the Filipinos should be subjected to a different government than that which they are now under without their consent, and by force.

or THOBURN. We have acted on the theory for a hundred years past in regard to the American Indians, that no matter what they wish for a government they desire we will hold them by force.

or CULBERSON. You think we ought to apply the doctrine which was applied to the Indian to the Filipino?

or THOBURN. There is a stronger claim in the case of the Filipinos. They have fallen to us by what we call the fortunes of war, and we have a responsibility that we can not shake off without incurring the possibility of greater evils, as I explained yesterday.

or CULBERSON. You believe, then, as a citizen, that one government under the circumstances stated, has the right to subject the whole people to their rule without their consent, and by force if it should be necessary?

or BEVERIDGE. He said nothing of the kind.

CHAIRMAN. I do not think the bishop said that; I do not want to mix up any questions at all, but I do not think it is quite fair to put a witness's mouth something that he did not, in my understanding, say.

or CULBERSON. I think I stated it fairly. If not, the bishop is a man of wide reading, learning, and information, and distinguished, and he can correct me.

or BEVERIDGE. The Senator said that you believed, then, that a whole people against their will should be subjugated.

or CULBERSON. No, I did not say that. I did not use that word. The stenographer read the question.

The stenographer repeated the question as follows:

“You believe, then, as a citizen, that one government, under the circumstances stated, has the right to subject a whole people to their will without their consent, and by force if it should be required?”

Senator BEVERIDGE. “Subjugated” is a better word than “subjugated.”

Senator CULBERSON. I beg to differ.

The CHAIRMAN. Never mind about the word. You say “you believe.”

Senator CULBERSON. I ask him the question. He can say he does not believe.

Bishop THOBURN. If your reference is to the Philippine Islands, they have not subjugated a whole people; they came to us by treaty.

Senator CULBERSON. Do you not know, then, as a matter of historical fact, that at the time the treaty was negotiated the Filipino people had revolted against the Government of Spain which undertook to make this treaty, and did make this treaty?

Bishop THOBURN. There had been a revolt at Manila; the islands had taken no part in it.

Senator CULBERSON. Do you not know as a matter of historical fact, as stated yesterday by Senator Patterson—and the hearings of this committee are full of documents to that effect—that with the exception of the city of Manila every part of the archipelago had ceased to be under the authority and control of Spain?

Bishop THOBURN. Yesterday, if I remember correctly, I disagreed with that statement in detail, and stated where the Tagalo people had no authority it was true, but it was not true with reference to others, and I believe there are more of the Visayans, and more of other people than the Tagalos altogether.

Senator CULBERSON. You disagree with General MacArthur, who stated about the last day he was here, that he believed, in answer to a question I asked him, that Aguinaldo represented the whole people of the Philippine Islands in the revolutionary movement against Spain; do you disagree with that?

Bishop THOBURN. If he made the statement I certainly disagreed with him.

Senator DIETRICH. I think I also asked General MacArthur a question following Senator Culberson, that the Malolos government was only represented by the Tagalos, and that no other tribes in the islands had any representation whatever at the formation of that government, and that that government also was only represented by a portion of the Tagalos, and that it is that portion of the Tagalos who are opposed to the Catholic Church or, in other words, to the friars.

Senator CULBERSON. I will ask you this question, Bishop. Do you not believe that the Filipino people ought to be allowed to express their opinion as to whether or not they want to become a part of the United States; in other words, do you or do you not believe in the doctrine of the consent of the governed?

Bishop THOBURN. I do not think it would be a safe policy to make any attempt to learn what the opinion of the whole people is, or what their wish is until you get things established and the conditions established that you could safely take a vote, or in some other way try to learn the views of the people. Just now the average Filipino does not know exactly what to say. If you ask him if he wishes the Americans to remain permanently, and the thought occurs to him that they may possibly withdraw, he is afraid to say, then, because he knows that

throat when the Americans leave. On the other hand, if he or the Americans he is not sure of his neighbors. You can get an expression of opinion from the people at large now that is worth anything.

Mr CARMACK. If he speaks against the Americans they would be in jail, too, would they not?

Mr THOBURN. Oh, no.

Mr CULBERSON. Have you read the sedition law passed by the Commission?

Mr THOBURN. I know the law, but I do not know that I have. What I mean is, if a representative of the American Government is a Filipino for his opinion we are not to assume that that representative of the American Government will thrust a man in prison as an answer that does not suit him.

Mr DUBOIS. I want to call your attention to a few things. The *Media Britannica* in an article on Japan says:

"however, beyond all doubt that the Malay tribes are also included in the Japanese people."

The *International Encyclopedia*, in an article on Japan says: "Geologists have referred the Japanese to different types."

American, Pickering, classifies them as Malays.

The *Universal Cyclopedia and Atlas* in its article on Japan says:

"Japanese are a mixed race. It is certain that the type is Mongoloid."

A Mongoloid race, as I understand it, would include Malays.

Jeffries, in his *Natural History of the Human Races*—

Mr THOBURN. Do you say that Mongoloids include the Malays?

Mr DUBOIS. As I understand it.

Mr THOBURN. I think not.

Mr DUBOIS. It is Mongolians and Malays and one other race. It is quite sure that the Malays enter into the composition of the Mongoloid race.

Mr THOBURN. I am not up on that, but I think not.

Mr DUBOIS. J. B. Jeffries in his work says "that the people of the Philippines are representative of two types, Mongolian and Malay."

C. Hadden, M. A., G. Sc., M. R. I. A., in his book, *The Philippine Man*—and I think he is one of the best authorities—says that the Filipinos may be regarded as very characteristic Mongoloids.

Mr THOBURN. Any Malay elements that may be in them will be dated back about two thousand years.

Mr DUBOIS. Do you think the Filipinos are equal to the Japanese?

Mr THOBURN. Oh, no; I do not think they are. The Japanese

Mr DUBOIS. Do you believe their natural characteristics are of the same order as those of the Japanese?

Mr THOBURN. I think intellectually they are not equal to the Japanese at all.

Mr DUBOIS. Are their domestic attributes similar to and different from those of the Japanese?

Mr THOBURN. I do not recall any; there may be some points—

Mr DUBOIS. I mean taking them as a race.

Mr THOBURN. No; I should think not.

Mr DUBOIS. You would say that they are much inferior intel-

lectually, morally, and in domestic virtues and all that go to make up a high class of people, much inferior to the Japanese?

Bishop THOBURN. I might leave out the word "much;" I would certainly say inferior.

Senator DUBOIS. The qualifying adjective there is important. The Japanese are a very superior race, are they not?

Bishop THOBURN. They are a superior race, and they show beyond all other orientals a capacity for improvement. The Malay is very conservative and in character seems to be more like a Chinaman.

Senator CARMACK. Is not the desire for improvement a peculiar characteristic of the Filipino?

Bishop THOBURN. In some directions.

Senator DUBOIS. As an excuse for these last questions, I would say that it has been testified here by a very eminent authority that the Filipinos are equal to if not superior to the Japanese in all of those attributes which go to make up a high character of people. I think it was General MacArthur who gave that testimony, was it not?

Senator CARMACK. I am not sure.

Senator BEVERIDGE. One distinguishing difference of the Japanese is the presence among them of that cohesion, the absence of which among the Malays you spoke of.

Bishop THOBURN. Yes.

Senator BEVERIDGE. The capacity to work together and agree—self-restraint.

Bishop THOBURN. It is very marked.

Senator BEVERIDGE. That is the thing which constitutes the basis of a self-governing people, is it not?

Bishop THOBURN. And an extraordinary aptitude for taking on improvements.

Senator BEVERIDGE. One or two questions on this ethnical line that the Senator went into. First, Senator Dietrich has suggested that they have one language and one religion.

Bishop THOBURN. In Japan?

Senator BEVERIDGE. Yes.

Bishop THOBURN. Yes.

Senator BEVERIDGE. Now, about the ethnical question. Are you familiar with any of the authorities that Senator Dubois has quoted?

Bishop THOBURN. No; I am not.

Senator BEVERIDGE. Are you aware of the fact that there are other very eminent and distinguished authorities that disagree with those that have been quoted?

Bishop THOBURN. I knew that; I stated that.

Senator BEVERIDGE. Concerning the similarity and appearance of people, I take it you have been somewhat of a student of ethnology. Do ethnologists consider similarity in appearance very much of a factor, if at all, in judging of the derivation of a race? That is to say, the fact that one set of men look like another set of men, is that taken into account very much, or very largely recognized by ethnologists?

Bishop THOBURN. Not unless there are other reasons.

Senator BEVERIDGE. I will ask you if it is not the last factor considered by the ethnologist in determining race groups?

Bishop THOBURN. That I could hardly say; I am not up on the question.

Thereupon, at 11.50, the committee took a recess until Monday, May 26, 1902, at 10.30 o'clock a. m.

WASHINGTON, D. C., *Monday, May 26, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman and Senators Allison, Beveridge, Burrows, Dietrich, Culberson, and Dubois.

The chairman submitted the following:

WAR DEPARTMENT.
Washington, May 26, 1902.

Hon. H. C. LODGE,

*Chairman Committee on the Philippines,
United States Senate.*

SIR: Replying to your letter of March 31 last, in which you ask to have forwarded to the committee as soon as possible "the minutes of the commission appointed by General Aguinaldo and General Otis to see if the difficulties between ourselves and the insurrectos could not be settled," I have the honor to inform you that the same, having been received by last mail from Manila, are herewith transmitted. It will be observed that these minutes are in Spanish and English; each day's proceedings signed by all of the commissioners. Owing, however, to discovered inaccuracies and omissions, I have thought it best to have the Spanish text translated by an official translator of the Department, which translation is also herewith, following each day's proceedings.

As these are original copies, the Department will be obliged if you will cause the same to be returned when no longer required or when they shall have been printed.

Very respectfully,

ELIHU ROOT,
Secretary of War.

(6 inclosures.)

MANILA, P. I., *January 11, 1899.*

Brig. Genl R. P. Hughes, U. S. Volunteers; Col. James F. Smith, 1st Regt. Cal. U. S. Vol. Inf.; Lieut. Col. E. H. Crowder, judge-advocate, U. S. Volunteers, the commission appointed by Major-General Otis, commanding Eighth Army Corps, met General Flores, Colonel Arguelles, and Señor Florentine Torres, the commission appointed by General Aguinaldo, to confer with regard to the situation of affairs now existing in the Philippine Islands, and to arrive at a mutual understanding of the intended purposes, aim, and desires of the Philippine people and the people of the United States, in order that peace and harmonious relations between these respective peoples may be continued.

At the first meeting of the conference, which was held on the 9th day of January, 1899, at 7.30 p. m., it was stated by the commissioners appointed by General Otis to the commissioners of General Aguinaldo, and repeated, that the consideration and discussion of the several propositions submitted by the latter must not be construed as a recognition of their alleged government or as being in any sense a recognition that the said propositions were regarded as tenable, the sole purpose being to secure a full, free, and candid expression and to reach a thorough understanding of the wishes and aspirations of the Philippine people.

The Philippine commissioners being asked if the relations between the Philippine people and the army of occupation were not becoming strained, they answered that the relations were strained between the Americans and the Philippines, and that the change was due to grievances had by the latter against the former ever since the capitulation of Manila, grievances which were all the more felt on account of their having been received from their own allies, and which are the following:

First. The failure to take into consideration the cooperation of the revolutionary army in the capitulation of Manila, when its decisive and vigorous action during the siege and the courage, efforts, and self-denial which it had shown were things notoriously public.

Second. The fact of the Government of occupation having possessed itself of more territory than that comprised in the zone of Manila and its suburbs.

Third. The capture of the steamer *Abbey* and the steam launches belonging to the revolutionary government.

Fourth. The prohibition to fly the Philippine flag on Manila Bay.

All of which reasons for complaint would not have been advanced had it not been on account of the last proclamation by General Otis, the latest news from Washington, and the attempt made by the American forces to take possession of the city of Iloilo, which actually is in possession of the revolutionary government. It was said by the commissioners of General Aguinaldo that the Philippine government would have suffered all these acts resignedly if it had not been that things had arrived at the extreme of an attempt against its independence and integrity, for which reason General Aguinaldo also published his protest in a proclamation dated the 5th instant, a copy of which was turned over to the American commission.

The request was then made by the commissioners appointed by General Otis that the commissioners appointed by General Aguinaldo give their opinion as to what were the purposes, aspirations, aims, and desires of the people of the archipelago.

To this request the commissioners appointed by General Aguinaldo made response that in their opinion the aspirations, purposes, and desires of the Philippine people might be summed up in two words—“absolute independence.” In addition it was further stated that the Philippine people would be satisfied with nothing less than an unqualified recognition of their flag and of their government, and that whatever of friction may have been developed latterly between the two peoples resulted from the fear that the islands might be subjected to a domination similar to that exercised by Spain.

General Aguinaldo's commissioners also alleged that their government had control and exercised power over nearly all of the archipelago, and had good reason to believe that in a short time their government would be recognized by all the inhabitants of the islands; that the “Moros” of Mindanao, who had always rejected Spanish domination, would also submit themselves in the same way as had the “Igorrotes” of Central Luzon.

To this the commissioners appointed by General Otis made reply that they could not, nor had they any power or authority to recognize any government or jurisdiction over the Philippine Islands other than that claimed and exercised by the United States, and that the sovereignty heretofore exercised by the Kingdom of Spain having been

inquired as the result of the war with the United States, no other sovereignty could be recognized or jurisdiction acknowledged except that of the victor.

However, for purposes of information purely, and for no other purpose, the commissioners of General Otis desired to ask how and in what manner this alleged government by the people had been formed; whether a constitution had been framed, completed, and adopted, and whether executive and judicial officers had been selected and placed in office under it.

Whereupon, the commissioners of General Aguinaldo responded that an election for delegates to a congress to be convened at Mollolus had been ordered by General Aguinaldo, on the basis of three delegates from Manila, three from Cavite, two from each province in the island of Luzon, and two from each island in the group; that in the island of Luzon such elections were actually held and the delegates elected on the representative basis indicated, but that owing to Spanish interference in other islands it was found impossible to actually hold such elections, and the representatives and the delegates from those islands had been appointed by General Aguinaldo from the revolutionary committees acting therein; that the constitution had not been finally completed, nor had it as yet been presented to the people for ratification. The conferees of General Aguinaldo, however, stated that the constitution, as soon as completed and definitely voted upon, would be promulgated for acceptance and compliance, and that without the slightest doubt it would be obeyed and respected by the Philippine people.

Further answering the inquiry for information, they stated that while no executive or judicial officers had been, as yet, selected or elected under the constitution, still, in so far as judicial officers were concerned, judicial functions were in fact actually exercised by five officials appointed in each pueblo or town for the transaction of such legal business as might come before them, and that from the judgment of such five officials an appeal might be taken to a similar number of officials appointed and acting for the province.

The commissioners of General Aguinaldo were then asked if it would be possible for the Philippine people to maintain a stable government and insure the security of their independence, having no navy and no considerable munitions of war, but many islands and a vast seaboard to defend.

To this the reply was made that the stability of the government and the independence of the country would be greatly enhanced, and, in the opinion of the commissioners of General Aguinaldo, neither could be maintained without exterior aid, at least in the beginning.

Attention was then called to the fact that the commissioners for General Aguinaldo had stated that it was the desire of the Philippine people to have "absolute independence," and that they would be satisfied with nothing less; and the inquiry was made if the words "absolute independence" were to be construed as signifying the wish that the United States withdraw from the archipelago.

The commissioners of General Aguinaldo were of the opinion that such was not the meaning intended by the words "absolute independence;" but that it was not the desire of the Philippine people to have the United States leave the islands and leave the Philippine people to

their own devices; that it was their wish to have their independence recognized and protected by the United States. In other words, that the United States should establish a protectorate over the islands.

When asked if they had any information as to the terms and conditions desired by the Philippine people for a protectorate, or if any plan had been thought out under which the protectorate suggested should be established, the commissioners of General Aguinaldo stated that that point had not been covered in their instructions, and that they believed they had no authority to make suggestions on the points indicated without further advices and without further consultation, but offered to present in writing all the suggestions and claims they would be allowed to make in the matter.

It was then submitted that in order that no mistake might arise as to the actual attitude and wishes of the Philippine people, a full statement in writing as to those matters should be presented by the conferees of General Aguinaldo to the joint commission for its consideration in order that a clear, concise, and coherent representation might be made to the proper authorities.

The commissioners of General Aguinaldo were further requested to embody in such writing any other matters which, in their opinion, had given to the Philippine people ground for concern or complaint.

To which proposition the commissioners of General Aguinaldo acceded, and an adjournment was taken to give time for the preparation of such document, the joint commission to convene on twenty-four hours' notice from the commissioners of General Aguinaldo.

A. FLORES.

FLORENTINO TORRES.

MANUEL ARGUELLES.

R. P. HUGHES.

JAMES F. SMITH.

E. H. CROWDER.

MANILA, ISLAS FILIPINAS, *11 de Enero de 1899.*

El General de Brigada R. P. Hughes, de los Voluntarios de los E. U., el Coronel James F. Smith del 1 er Regimiento de Voluntarios de California de los E. U. y el Teniente Coronel E. H. Crowder Juez Abogado de Voluntarios de los E. U., que forman la comision nombrado por el Mayor General Otis, Jefe del Octavo Cuerpo de ejercito, reunieron con el General Flores, Teniente Coronel Arguelles y Sr. Florentino Torres, que forman la comision nombrada por el General Aguinaldo para conferenciar con respecto a la situacion de los asuntos actualmente existentes en las Islas Filipinas y con el fin de llegar a una inteligencia unítua de los propositos, designio y deseos del pueblo Filipinas y del pueblo de los Estados Unidos para que la paz y armonia de relaciones entre los dos pueblos respectivos, continúe.

En la primera sesion de la conferencia que se celebro el dia 9 de Enero de 1899, a las 7 h. y 30 m. p. m., se hizo presente y repitieron los comisionados nombrados por el General Otis a los comisionados del General Aguinaldo, que el examen y discusion de las diversas proposiciones sometidos por los ultimos no detran de interpretarse como un reconocimiento de su alegado gobierno ni como un reconocimiento de que dichas proposiciones eran miradas como sostenibles, pues el unico proposito era el obtener una expresion completa, libre y

sincero y llegar a una inteligencia de los deseos y aspiraciones del pueblo Filipino.

Preguntose a los comisionados Filipinos si las relaciones entre el pueblo Filipino y el ejercito de ocupacion no empezaban a estar tirantes y contestaron que la tirantez entre Americanos y Filipinos, debese a los agravios recibidos por estos de aquellos desde la capitulacion de Manila, agravios que son mas sensibles por recibirlos de sus mismos aliados y los cuales son los siguientes:

1-. El no haberse tenido en cuenta la cooperacion del ejercito Revolucionario en la capitulacion de Manila, cuando eran publicos y notorios su accion vigorosa y decisiva en las operaciones de sitio, el valor, esfuerzos y abnegacion que habia demostrado.

2-. El haberse posesionado el Gobierno de ocupacion de mayor territorio del comprendido en la zona llamada Manila y arrabales.

3-. El haberse depuesto la captura del vapor "Abbey" y lanchas de vapor de la pertenencia del Gobierno Revolucionario.

4-. El haberse prohibido la navegacion en la bahia de Manila con bandera Filipina.

Motivos de queja que no hubieran salido a relucir si no fuera por la ultima proclama del General Otis y las ultimas noticias de Washington y por las fuerzas Americanas que intentaron tomar la plaza de Iloilo, de la que esta en posesion el ejercito Revolucionario, pues el Gobierno Filipino hubieralos sufrido con resignacion si no hubieran llegado al extremo de atentar contra su independencia integridad; por lo que tambien el General Aguinaldo ha publicado el manifesto protesta fechado en Malolos el 5 del actual, del que un ejemplar se intrego a la comision Americano.

Pidiose entonces por los comisionados nombrados por el General Otis, que los comisionados nombrados por el General Aguinaldo diesen a conocer su opinion acerca de cuales eran los propositos, aspiraciones y designios y deseos de los habitantes del archipelago.

A esta peticion los comisionados nombrados por el General Aguinaldo respondieron que segun su opinion las aspiraciones, propositos y deseos del pueblo Filipino se podian resumir en los palabras.— "Independencia Absoluta." Manifestaron ademas que el pueblo Filipino no se contentaria con nada que no fuese el reconocimiento de su bandera y de su gobierno y que cualquier rozamiento que pudiese haberse desarrollado entre los dos pueblos era el resultado del temor de que las Islas pudiesen ser sometidas a una dominacion parecida a la ejercida por Espana.

Alegaron tambien los Comisionados del General Aguinaldo que su Gobierno domina y ejerce poder en casi todo el archipelago, creyendo muy fundadamente que dentro de poca seria reconocido por todos los habitantes del mismo incluso los moros de Mindanas siempre rehacios al desapreciado poder Espanol como lo efectuaron los igorrotos del Centro de Luzon.

A esto los Comisionados nombrados por el General Otis respondieron que no podian ni tenian poder ni autoridad para reconocer ningun Gobierno o jurisdiccion sobre las Islas Filipinas que no fuese el pretendido y ejercido por los Estados Unidos, y que la soberania hasta entonces ejercida por el Reino de Espana habiendo terminado como resultado de la guerra ninguna otra soberania o jurisdiccion que la del vencedor podia ser reconocido.

Sin embargo, meramente con el proposito de informacion y sin ningun

otro, los Comisionados del General Otis desearon preguntar como y de que manera habia sido formado este alegado Gobierno por el pueblo si se habia redactado, completado y adoptado una Constitucion, y si en virtud de ella habian sido elegidos funcionarios ejecutivos y judiciales y dadoseles posesion de sus destinos.

Acerca de lo que, los Comisionados del General Aguinaldo, respondieron que este habia decretado la eleccion de delegados para el Congreso reunido en Malolos, sobre la base de tres delegados para Manila, tres para Cavite, dos por cada provincia de la Isla Luzon y dos por cada Isla del grupo; que en Luzon las elecciones llegaron a celebrarse siendo elegidos los delegados sobre la base indicado, pero que debido a la intervencion Espanola en las otras Islas fue imposible llegar a celebrar las elecciones y que los representantes y delegados de dichas Islas habian sido nombrados por el General Aguinaldo de entre los Comites Revolucionarios en ellas establecidos; que la Constitucion luego fuese completada y definitivamente votado sera promulgada para su aceptacion y cumplimiento, creyendo sin nungun genero de duda que seria acatada y respetada por el pueblo Filipino. Y continuando en sus respuestas manifestaron que si bien hasta entonces no habian sido elegidos o escogidos bajo la constitucion funcionarios judiciales y ejecutivos, las funciones judiciales estaban de hecho ejercidas por cinco funcionarios nombrados en cada pueblo para el despacho de los asuntos de ley que se les presentaban y que del juicio de dichos funcionarios se podia apelar ante otros cinco nombrados por cada provincia.

Le pregunto entonces a los Comisionados del General Aguinaldo si le seria posible al pueblo Filipino el mantener un gobierno estable y garantizar la seguridad de su independencia, no teniendo marina ni cantidad considerable de municiones de guerra, pero si muchas islas y una extensa costa que defender.

Contestose a esto que la estabilidad del gobierno y de la independencia del pais estaria gravdemente comprometida, y, segun la opinion del General Aguinaldo, no podria mantenerse sin ayuda exterior, al menos al principio.

Le llamo entonces la atencion de los Comisionados del General Aguinaldo que habiendo manifestado que el deseo del pueblo Filipino era el tener la "Independencia Absoluta" y que no se contentaria con menos, se preguntaba si las palabras "Independencia Absoluta" habian de interpretarse como significacion del deseo de que los Estados Unidos se retirasen del archipielago.

Los Comisionados del General Aguinaldo manifestaron su opinion de que tal no habia sido el sentido encerrado en las palabras "Independencia Absoluta," que el deseo del pueblo Filipino no era que los Estados Unidos abandonasen Las Islas Filipinas y dejar al pueblo Filipino entregado a sus propios recursos, que su deseo era que su independencia fuese reconocida y protegida por los Estados Unidos. En otras palabras, que los Estados Unidos estableciesen un protectorado sobre las islas.

Preguntados se tenian noticias de los terminos y condiciones que el pueblo Filipino deseaba para el protectorado, o de si se habia manifestado algun plan bajo el que habia de establecerse el protectorado indicado, los Comisionados del General Aguinaldo manifestaron que sobre ese punto no poseian instrucciones y que no creian tener autorizaciones para hacer indicaciones sobre el particular sin contar con mas instrucciones y sin previa consulta: ofreciendo los Comisionados del General

Aguinaldo presentar cuantas manifestaciones fueran autorizados que pudieran hacer sobre el particular por escrito.

Dijose entonces que a fin de que ningun error naciese de la actual actitud y deseos del pueblo Filipino, los Comisionados del General Aguinaldo presentarian para su examen a la Comision mixta una declaracion escrita y completa acerca de dicho particular a fin de que una manifestacion clara, concisa y detallada se pudiese presentar a las debidas autoridades.

Pidiose ademas a los Comisionados del General Aguinaldo que incluyeran en dicho escrito cualesquiera otros asuntos, que segun su opinion habiesen dado motivo de queja ó temor al pueblo Filipino.

Cuja proposicion habiendo sido aceptado por les comisionados del General Aguinaldo, se levante le reunion a fin de dar tiempo para preparar dicho documento, quedando acordado que la comision volveria a reuniese previo a aviso con veinticuatro horas de anticipacion que darian los comisionados del General Aguinaldo.

FLORENTINO TORRES.
A. FLORES.
MANUEL ARGUELLES.
R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.

[War Department translation.]

MANILA, P. I., *January 11, 1899.*

Brig. Gen. R. P. Hughes, U. S. Volunteers; Col. James F. Smith, 1st Regt. California U. S. Volunteer Infantry, and Lieut. Col. E. H. Crowder, judge-advocate, U. S. Volunteers, who form the commission appointed by Major-General Otis, commanding the Eighth Army Corps, met General Flores, Lt. Colonel Arguelles, and Mr. Florentino Torres, who form the commission appointed by General Aguinaldo to confer with regard to the situation of affairs now existing in the Philippine Islands and for the purpose of arriving at a mutual understanding of the intentions, purposes, and wishes of the Philippine people and of the people of the United States, in order that peace and harmony in the relations of the two respective peoples may continue.

At the first meeting of the conference, which was held on January 9, 1899, at 7.30 p. m., the commissioners appointed by General Otis stated and repeated to the commissioners appointed by General Aguinaldo that the examination and discussion of the various propositions submitted by the latter were not to be interpreted as an acknowledgment of their alleged government, nor as an acknowledgment that said propositions were looked upon as tenable, the only purpose being to obtain a complete, free, and sincere expression and arrive at an understanding of the wishes and aspirations of the Philippine people.

The Philippine commissioners were asked whether the relations between the Philippine people and the army of occupation were not beginning to be strained, and they answered that the tenseness between the Americans and the Filipinos was due to the wrongs which the latter had suffered at the hands of the former since the capitulation of Manila—wronges which were all the more felt for having been received from their own allies, and which are the following:

1. The failure to take into consideration the cooperation of the revolutionary army in the capitulation of Manila when its vigorous

and decisive action in the siege operations and the courage, efforts, and self-denial which it had shown were notoriously public.

2. The fact of the government of occupation having taken possession of more territory than that comprised within the zone called Manila and suburbs.

3. The fact of the capture of the steamer *Abbey* and steam launches belonging to the revolutionary army having been ordered.

4. The fact of having prohibited navigation in the Bay of Manila under the Philippine flag.

These causes for complaint would not have been advanced had it not been for the last proclamation of General Otis and the last news from Washington and on account of the attempt of the American forces to take the town of Iloilo, which is in the possession of the revolutionary army, because the Philippine government would have suffered these acts resignedly had not matters gone to the extent of an attempt against their independence and integrity; for which reason General Aguinaldo has also published the manifesto protesting there-against, dated in Malolos, the 5th instant, a copy of which was delivered to the American Commission.

The commissioners appointed by General Otis then asked that the commissioners appointed by General Aguinaldo express their opinion as to what were the intentions, aspirations, and aims and wishes of the inhabitants of the archipelago.

To this request the commissioners appointed by General Aguinaldo answered that, in their opinion, the aspirations, intentions, and wishes of the Filipino people could be summed up in the words "absolute independence." They stated, furthermore, that the Filipino people would not be satisfied with anything which should not be the acknowledgment of their flag and their government, and that any friction that may have developed between the two peoples was the result of the fear that the islands might be subjected to a domination similar to that exercised by Spain.

The commissioners of General Aguinaldo also alleged that their Government controlled and exercised power over nearly all the archipelago, believing, with good reason, that within a short time it would be recognized by all the inhabitants thereof, including the Moros of Mindanao, who had always resisted the former Spanish power, as did the Igorrotes of the central portion of Luzon.

Hereto the commissioners appointed by General Otis answered that they could not nor had they the power nor authority to recognize any government or jurisdiction over the Philippine Islands other than that claimed and exercised by the United States, and that the sovereignty exercised up to that time by the Kingdom of Spain having terminated as a result of the war no other sovereignty or jurisdiction than that of the conqueror could be recognized.

Nevertheless, merely for the purpose of information, and with: other, the commissioners of General Otis desired to ask how and in what manner this alleged government had been formed by the people, whether a constitution had been drafted, completed, and adopted, and whether, by virtue thereof, executive and judicial officials had been elected and given possession of their offices.

With regard to which the commissioners of General Aguinaldo answered that the latter had decreed the election of delegates to the congress meeting at Malolos upon the basis of three delegates for

Manila, three for Cavite, two for each province of Luzon, and two for every island of the group; that elections were held in Luzon, delegates being elected upon the basis indicated, but that owing to the Spanish intervention in the other islands it was impossible to hold the elections, and that the representatives and delegates of said islands had been appointed by General Aguinaldo from the revolutionary committees established therein; that the constitution as soon as completed and definitely voted upon would be promulgated for acceptance and fulfillment, believing that without doubt whatsoever it would be revered and respected by the Philippine people. And, continuing their replies, they stated that although up to that time judicial and executive officials had not been elected or selected, judicial functions were in fact exercised by five officials appointed in each town for the dispatch of legal matters presented to them, and that an appeal lay from the decision of these officials to five others appointed for each province.

The commissioners of General Aguinaldo were then asked whether it would be possible for the Philippine people to maintain a stable government and guarantee the security of their independence, having no navy and no large amount of munitions of war, but many islands and a vast coast to defend.

Answer was made hereto that the stability of the government and of the independence of the country would be seriously compromised, and, according to the opinion of General Aguinaldo, could not be maintained without exterior (foreign) assistance, at least at the beginning.

The commissioners of General Aguinaldo were struck by the fact that, having stated that the wish of the Philippine people was to have "absolute independence" and that they would not be satisfied with less, they were asked whether the words "absolute independence" were to be interpreted as a signification of the desire that the United States withdraw from the archipelago.

The commissioners of General Aguinaldo stated their opinion that such had not been the restricted meaning of the words "absolute independence;" that the wish of the Philippine people was not to have the United States abandon the Philippine Islands and leave the Philippine people to their own resources; that their wish was their independence recognized and protected by the United States. In other words, that the United States establish a protectorate over the islands.

Upon being asked whether they had any information as to the terms and conditions which the Philippine people desired for the protectorate, or whether any plan had been matured under which the said protectorate was to be established, the commissioners of General Aguinaldo stated that they had no instructions on this point and did not believe they had authorization to make suggestions in the matter without having more instructions and a previous consultation; the commissioners of General Aguinaldo offering to present in writing any statements authorized which they might make on the question.

It was then submitted that in order that no error should be incurred as to the present attitude and wishes of the Philippine people the commissioners of General Aguinaldo would present for the examination of the mixed commission a written and complete statement with regard to said matter in order that a clear, concise, and detailed statement might be presented to the proper authorities.

The commissioners of General Aguinaldo were also requested to include in said written statement any other matters which, in their opinion, may have given ground of complaint or fear to the Philippine people.

Which proposition having been accepted by the commissioners of General Aguinaldo, the meeting adjourned in order to give time for the preparation of said document, it being decided that the commission would meet again on twenty-four hours' notice from the commissioners of General Aguinaldo.

FLORENTINO TORRES.
A. FLORES.
MANUEL ARGUELLES.
R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.

I hereby certify that the foregoing is a true and exact translation of the respective document in Spanish.

FRANK L. JOANNINI,
Official Translator, Insular Division.

MANILA, ISLAS FILIPINAS, *14 de Enero de 1899.*

Como consecuencia del ultimo acuerdo y de las veinticuatro horas de aviso dadas, la comision mixta compuesta del General Hughes, de Voluntarios de los E. U., Coronel Smith, id., id., y Teniente Coronel Crowder, id., id., nombrados por el General Otis; y el General Flores Teniente Coronel Arguelles y Senor Torres, Comisionados nombrados por el General Aguinaldo, se reunieron a las 8 p. m. del dia de la fecha. Los Comisionados del General Aguinaldo anunciaron que las instrucciones habia sido formuladas en una nota adicional de instrucciones para ellos, cuya nota contiene las siguientes palabras:

Los que suscriben comisionados del General en Jefe del ejercito Revolucionario de estas Islas el honorable Emilio Aguinaldo, hacen presente á los Srés Comisionados del Exmo Sor. General Otis en Jefe de las fuerzas Americanas, de ocupacion en esta capital, que la Aspiracion del pueblo Filipino, és la independendencia con las limitaciones que resulte de las condiciones que estipule su Gobierno con el Americano quando este se avenga a reconocer oficialmente á aquel.

FLORENTINO TORRES.
A. FLORES.
MANUEL ARGUELLES."

El General Hughes manifesto el deseo de que los comisionados del General Aguinaldo le hiciesen saber que se queria decia con la palabra "limitaciones" que aparece en dicho documento y que si era la intencion del documento el indicar el deseo de los habitantes de las islas de tener establecido un protectorado de los Estados Unidos sobre el Archipiélago y si el documento habia de entenderse como indicando el deseo de que el reconocimiento de la independendencia y la declaracion del protectorado habian de ser actos contemporaneos o simultáneos.

A esto contestaron los comisionados del General Aguinaldo que la palabra "limitaciones" queria significar las limitaciones de la "last"

pendencia" y que ellos entendian que el documento significaba que el reconocimiento de la independencia y la declaracion del protectorado no habian de ser actos simultáneos sino que la independencia y el Gobierno de Malolos habian de ser primeramente reconocidos antes de que se entablasen negociaciones de ningun género para el establecimiento de un protectorado. Dijeron ademas, que era la intención del pueblo Filipino el pedir á los Estados Unidos que estableciesen un protectorado sobre las islas despues de que su gobierno e independencia hubiesen sido primeramente reconocidos, no por su falta de capacidad para gobernarse sino por su falta de medios hábiles con que mantener su independencia.

Se preguntó entonces á los comisionados del General Aguinaldo qui si en sus indicaciones de independencia primeramente y despues protectorado habian tenido en cuenta las actuales circunstancias y el tiempo que necesariamente habia de transcurrir, segun su proposicion, entre el reconocimiento de la independencia y la declaracion del protectorado.

Los comisionados del General Aguinaldo, como contestacion, dijeron que el protectorado en principio de los Estados Unidos estaba ya reconocido por ellos y que opinaban que se podia conceder la independencia y el mismo tiempo declarar formalmente el protectorado, sujetandose á los condiciones que despues se fijarian.

El teniente Coronel Crowder preguntó entoces á los comisionados del General Aguinaldo sobre si era su juicio que el reconocimiento de la independencia de Filipinas llevaria consigo el derecho de hacer tratados, declarar la guerra ó mantener relaciones con potencias extranjeras sin el consentimiento de los Estado Unidos ó sin su previa consulta como poder protector.

Los comisionados del General Aguinaldo dijeron que no tenian poder para contestar la pregunta pero que era indudble que asuntos de la clase de los citados podrian ser ajustados despues y que, ós más, les parecia á ellos que si el pueblo Filipino habia de iniciar actos de tal importancia sin consultar con los Estados Unidos, estos deberian de considerarse desligados de la obligacion de interceder en su favor.

Llamóse entonces la atencion de los comisionados del General Aguinaldo que el documento por ellos presentado y que ponía de manifiesto los deseos del pueblo Filipino no decia nada definido acerca del protectorado de los Estados Unidos ni especificaba siquiera en general, el caracter clase ó naturaleza de las limitaciones en el mencionadas y que para que las aspiraciones y deseos del pueblo Filipino no pudiesen ser mal entendidas o interpretadas seria conveniente presentar una declaracion lo mas clara correcta o inequivoca posible de su actitud. Dijose ademas que sobre las varias indicaciones hechas por las Comisionados del General Otis deberia de llamarse la atencion del General Aguinaldo afin de que los comisionados nombrados por él pudiesen facilitar todos los informes importantes que se desearan obtener.

Los comisionados del General Aguinaldo, dijeron que le darán cuenta de los deseos de los comisionados del General Otis, aunque entienden que los detalles y condiciones del protectorado, por lo mismo que constituyen una ley, seran elaborados par el Congreso, despues de reconocida la independencia del pais y de su gobierno.

Dichos comisionados además pidieron que se hiciese algún arreglo a fin de mantener el statu quo y establecer un modus vivendi a fin de evitar todo peligro de un conflicto.

Los Comisionados del General Otis rehusaron el hacer tal tratado porque presumiria que existian las hostilidades entre el pueblo de Estados Unidos y los habitantes de Filipinas, cosa que no se podia admitir. Los Comisionados del General Otis dijera ademas que nin tratado podia tener mas peso que la orden de los Estados Unidos, prescribia que no se diese lugar a ningun conflicto ó colision con habitantes de las islas, a no ser que las hostilidades fuesen iniciadas por ellos.

Como habian manifestado los Comisionados del General Otis podia por consiguiente tener lugar un conflicto á no ser que las actuales condiciones fuesen interrumpidas por una ruptura formal de relaciones amistosas ó se iniciasen las hostilidades por otras personas que no fuesen los Estados Unidos.

Se dijo por los comisionados del General Aguinaldo que la declaracion de la soberania de los Estados Unidos habia creado sospechas en el pueblo y que muchos de ellos habian llegado á creer que se veian colocados en la misma situacion que ocupaban bajo España.

Los comisionados del General Otis dijeron que el gobierno de los Estados Unidos no podia ofrecer mas garantia de su futura conducta para con un pueblo oprimido que la ofrecida por su liberal constitucion, su historia sus tradiciones y su conducta pasada: que cuanto á la declaracion de su soberania no era asunto que se pudiera discutir; que la soberania residia en España y que habiendo terminado como resultado de la guerra con los Estados Unidos, se encontraba ahora en las manos de la potencia vencedora.

A lo expuesto contestaron los comisionados del General Aguinaldo que en efecto es de esperar que el gobierno Americano que se inspira siempre en la opinion liberal y democrata de su pueblo, no intentaria establecer en este pais un gobierno colonial rechazado por la opinion de los Filipinos; y que en orden á la cesion por España de su soberania á los Estados Unidos, desean hacer constar que en los momentos en que se hizo esa cesion el gobierno revolucionario General Aguinaldo ya dominaba en la mayor parte del archipelago y los funcionarios Españoles apenas poseian capitales de algunas islas de las Bisayas y Mindanao.

Se acordó que el acta de la conferencia se extenderia en Inglés Castellano y que se someterian al examen enmienda y correccion á la comision mixta en su próxima sesión.

A. FLORES.
FLORENTO TORRES.
MANUEL ARGUELLES.
R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.

A lo expuesto por los Sres. comisionados del General Otis contestaron los del General Aguinaldo exponiendo que la Soberania es inalienable y emana directamente del pueblo; y como en el momento historico de la cesion del Archipelago el pueblo filipino harto ya de injusticia tenia ya terminantemente expresada su voluntad de querer ejercer y estaba ejerciendo su propia soberania, destruyendo con las armas el poder dominador y estableciendo un gobierno por medio del cual habia hecho manifestacion de la misma ante el mundo con ejercicio de plena jurisdiccion, es indiscutible el derecho del pueblo filipino á ser reconocido

tado, siquiera no fuera oficialmente reconocido el gobierno por el establecido para conservar el orden social; sin que a ello obste el no haberlo sido como beligerante. En tal situacion se han encontrado todos los pueblos nacidos de una colonia y luego constituidos en Nacion por su propia voluntad con ayuda o no de pueblos extranós.

Levantose entones la sesion hasta el 22 de Enero de 1899 a las 3 de la tarde.

A. FLORES.
FLORENTO TORRES.
MANUEL ARGUELLES.
R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.

MANILA, P. I., *January 14th, 1899.*

Pursuant to adjournment and twenty-four hours' notice given the joint commission composed of General Hughes, U. S. Volunteers, Colonel Smith, U. S. Volunteers, and Lieutenant-Colonel Crowder, U. S. Volunteers, commissioners appointed by General Otis, and General Flores, Colonel Arguelles and Señor Torres, commissioners appointed by General Aguinaldo, met at 8 o'clock p. m., on the above date. Whereupon the commissioners for General Aguinaldo announced that their instructions had been formulated in an additional note, which note is in the words and figures following:

(Of which document in Spanish the following is an English translation:

The undersigned, commissioners of the commander in chief of the revolutionary army of these islands, Honorable Emilio Aguinaldo, state hereby to the commissioners of H. E. General Otis, commanding the American forces of occupation in this city, that the aspiration of the Philippine people is the independence with the restrictions resulting from the conditions which its government may agree with the American when the latter agrees to officially recognize the former.

Manila, 14th of January, 1898.

FLORENTINO TORRES.
A. FLORES.
MANUEL ARGUELLES.

General Hughes, one of the commissioners, desired to know from the commissioners appointed by General Aguinaldo what was meant by the word "restrictions" in the document submitted and whether it was the intent of the document to indicate the wish of the people of the islands to have a protectorate established over the archipelago by the United States, and further whether the document was to be construed as indicating a desire that the recognition of independence and the declaration of a protectorate should be contemporaneous acts.

To this the answer was made by the commissioners of General Aguinaldo that by the word "restrictions" it was intended to signify the limitations to be placed upon "independence" and that they understood the document to mean that the recognition of independence and the declaration of a protectorate were not to be contemporaneous acts, but that independence and the government of Mollolus must be first recognized before any negotiations whatever could be had as to the establishment of a protectorate. They said in addition that it was the intention of the Philippine people to request the United States to establish a protectorate over the islands after their independence and government had been first recognized, not because of their lack

of capacity to govern, but from lack of ability to maintain their independence.

Inquiry was then made of the commissioners of General Aguinaldo whether under their suggestion of independence first and a protectorate afterwards they had taken into consideration existing conditions and the time which must necessarily elapse, under their proposition, between recognition of independence and the declaration of a protectorate.

The commissioners representing General Aguinaldo by way of reply declared that the principle of protection by the United States was already recognized by them, and that they were of opinion that recognition of independence could be made and at the same time a protectorate formally declared, subject to conditions to be afterwards fixed.

Lieutenant-Colonel Crowder, U. S. Volunteers, one of the commissioners, then inquired of the commissioners of General Aguinaldo, whether it was their judgment that recognition of independence of the Philippines would carry with it the right to make treaties, declare war, and enter into relations with foreign nations without the consent of the Government of the United States or consultation with it as the protecting power.

The commissioners for General Aguinaldo responded that they had no power to answer the question, but that unquestionably matters of the kind specified could be subsequently adjusted, and that, moreover, it seemed to them if the Philippine people were to initiate acts of such importance without consulting the United States it ought to advise the United States from further interference in their behalf.

It was then called to the attention of the commissioners of General Aguinaldo that the document submitted by them as specifying the desires of the Philippine people said nothing definite about a protectorate by the United States, nor did it specify, even generally, the character, kind, or nature of the restriction referred to therein, and that the aspirations and desires of the Philippines might not be misunderstood or misconstrued there should be presented as clear, correct, and unmistakable a statement of their attitude as possible. Moreover, it was said that the various suggestions made by the commissioners of General Otis should be called to the attention of General Aguinaldo, so that the commissioners appointed by him might be enabled, as far as practicable, to furnish such important and reliable information as might be desired.

The commissioners of General Aguinaldo stated that they would lay the proceedings of the conference before him, but that they could not furnish details, which would have to be left to their congress, after the independence and government of the country are recognized.

The said commissioners further requested that some agreement be made to maintain the status quo and to establish a *modus vivendi* so that all danger of conflict might be avoided.

The commissioners appointed by General Otis declined to consider such an agreement because it assumed the state of hostilities between the people of the United States and the residents of the Philippines, which they declined to admit. The commissioners for General Otis moreover, announced that no agreement could have greater weight than the order from the United States, which directed that no conflict or collision must be brought on with the people of the islands unless hostilities be first initiated by them.

stated by the commissioners of General Otis, no conflict could, more, be brought about unless present conditions were terminated by formal rupture of amicable relations, or the initiation of hostilities with others than the United States.

It was said by the commissioners of General Aguinaldo that the assertion of sovereignty by the United States over the islands had created suspicion in the minds of the people, and that many of them would lead to believe that they would be placed in the same position occupied by them under Spain.

The commissioners of General Otis thereupon said the Government of the United States could offer no guaranty for its future conduct toward the oppressed people save that afforded by its liberal Constitution, its history, its traditions, and its conduct in the past. That as to the question of its sovereignty, that was not debatable ground; that sovereignty formerly resided in Spain, and, having been terminated as the result of a war with the United States, it was now vested in the hands of the successful power.

At which General Aguinaldo's commissioners made reply, that it was hoped that the American Government, which has been always guided by the liberal and democratic opinion of its people, would not attempt to establish in the country a colonial government which the opinion of the Philippines rejected; that at the time of Spain's cession of its sovereignty to the United States, the revolutionary government of General Aguinaldo had already control of the greater portion of the archipelago, and the Spanish officials had hardly possessed the capitals of some islands of Bisayas and Mindanao.

It was agreed that the proceedings of the conference should be put out in both English and Spanish, and that when so written should be submitted to the joint commission for consideration, comment, and correction at its next session.

Adjournment was then taken until Tuesday, January 17, 1899, at 1 o'clock p. m.

FLORENT TORRES.

A. FLORES.

MANUEL ARGUELLES.

R. P. HUGHES.

JAMES H. SMITH.

E. H. CROWDER.

[War Department translation.]

MANILA, P. I., *January 14, 1899.*

Pursuant to the last decision and the twenty-four hours' notice given to the joint commission, composed of General Hughes, U. S. Volunteers, Colonel Smith, U. S. Volunteers, and Lt. Col. Crowder, appointed by General Otis; and General Flores, Lt. Colonel Arguelles, and Mr. Torres, commissioners appointed by General Aguinaldo, at 8 p. m. on the above date. The commissioners of General Aguinaldo announced that their instructions had been embodied in an official note of instructions for them, which note contains the following words:

The undersigned commissioners of the commander in chief of the revolutionary government of these islands, the Honorable Emilio Aguinaldo, state to the commissioners

of His Excellency General Otis, commander in chief of the American forces of occupation of this capital, that the aspiration of the Philippine people is independence with the limitations which may result in the conditions agreed upon between their government and the American Government when the latter agrees to officially recognize the former.

Manila, January 14, 1899.

FLORENTINO TORRES
A. FLORES
MANUEL ANSULAN

General Hughes manifested a desire that the commissioners of General Aguinaldo inform him what was meant by the word "limitations," which appears in said document, and whether it was the intention of the document to indicate the desire of the inhabitants of the islands to have a protectorate established by the United States over the archipelago, and whether the document was to be understood as indicating a desire that the recognition of the independence and the declaration of the protectorate should be contemporaneous or simultaneous acts.

The commissioners of General Aguinaldo answered hereto that the word "limitations" signified the limitations of the "independence" and that they understood that the document signified that the recognition of independence and the declaration of the protectorate were not to be simultaneous acts, but that the independence and the government of Malolos were to be recognized first, before negotiations of any character were entered upon for the establishment of a protectorate. They said, furthermore, that it was the intention of the Philippine people to request the United States to establish a protectorate over the islands, after their government and independence shall have been first recognized, not on account of incapacity for self-government, but on account of the lack of proper means to maintain their independence.

The commissioners of General Aguinaldo were then asked whether in their suggestion of independence first and a protectorate afterwards they had taken the present circumstances into consideration and the time which would necessarily have to elapse, according to their proposition, between the recognition of independence and the declaration of the protectorate.

The commissioners of General Aguinaldo in answer said that the protectorate in principles of the United States was already recognized by them, and that they were of the opinion that independence could be granted and at the same time the protectorate formally declared subject to the conditions fixed thereafter.

Lieutenant-Colonel Crowder then asked the commissioners of General Aguinaldo whether it was their opinion that the recognition of independence of the Philippines carried with it the right to make treaties, declare war, or maintain relations with foreign powers without the consent of the United States or without previously consulting them as the protecting power.

The commissioners of Aguinaldo stated that they had no power to answer the question, but that there was no doubt that matters of the character cited could be adjusted later, and that, moreover, it seemed to them that if the Philippine people took the initiative in matters of such importance without consulting the United States, the latter could consider themselves absolved from the obligation of interceding in their favor.

The attention of the commissioners of General Aguinaldo was then

called to the fact that the document presented by them, and which expressed the wishes of the Philippine people stated nothing definite with regard to the protectorate of the United States, nor did it even specify in general the character, class, or nature of the limitations mentioned therein, and that in order that the aspirations and desires of the Philippine people might not be misunderstood or misinterpreted it would be advisable to submit a statement of their position as clear, correct, and unequivocal as possible. It was also said that the various suggestions made by the commissioners of General Otis should be called to the attention of General Aguinaldo, in order that the commissioners appointed by him could furnish all the important data which it was desired to obtain.

The commissioners of General Aguinaldo stated that they would lay the wishes of the commissioners of General Otis before him, although they understand that the details and conditions of the protectorate, constituting as they do a law, will be elaborated by the Congress after the independence of the country and its government have been recognized.

Said commissioners requested, moreover, that some arrangement should be made in order to maintain the statu quo and to establish a *modus vivendi* in order to avoid any danger of a conflict.

The commissioners of General Otis refused to make such an agreement, because that would presume that hostilities existed between the people of the United States and the inhabitants of the Philippines, which they could not admit. The commissioners of General Otis said that no treaty could have more weight than the order of the United States, which prescribed that no conflict or collision with the inhabitants of the islands should be brought on, unless the hostilities were begun by them.

As the commissioners of General Otis had stated, a conflict could consequently not occur unless the actual conditions should be interrupted by a formal breaking of the friendly relations or the beginning of hostilities by persons other than the United States.

The commissioners of General Aguinaldo stated that the declaration of the sovereignty of the United States had created suspicions among the people, and that many of them had been led to believe that they would be placed in the same position as that occupied by them under Spain.

The commissioners of General Otis stated that the Government of the United States could offer no greater guaranty of its future conduct towards the oppressed people than that offered by her liberal Constitution, her history, her traditions, and her past conduct; that with regard to the declaration of her sovereignty, it was not a matter which could be discussed; that the sovereignty was vested in Spain, and that, having terminated as a result of the war with the United States, it was now in the hands of the conquering power.

The commissioners of General Aguinaldo answered hereto that indeed it is to be expected that the American Government, which is always inspired by the liberal and democratic opinion of their people, would not attempt to establish in this country a colonial government rejected by the opinion of the Philippines; and that with regard to the cession by Spain of her sovereignty to the United States they desire to state that at the time of said cession the revolutionary government of General Aguinaldo already controlled the greater portion of the

archipelago and the Spanish officials had hardly possession of the capitals of some of the Visayan Islands and Mindanao.

It was resolved that the minutes of the conference be written in English and Spanish and that they should be submitted for examination, amendment, and correction of the joint commission at their next session.

FLORENTINO TORRES.
A. FLORES.
MANUEL ARGUELLES.
R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.

I hereby certify that the foregoing is a true and faithful translation of the respective document in Spanish, to the best of my knowledge and belief.

FRANK L. JOANNINI

Hereto the commissioners of General Aguinaldo replied to those of General Otis, stating that sovereignty is inalienable, and is vested directly in the people; and as at the historic moment of the cession of the archipelago the Philippine people, satiated already with injustice, had definitely expressed as their will their desire to exercise and were exercising their own sovereignty, destroying with their arms the dominating power, and establishing a government through which it has manifested said sovereignty to the world with the exercise of full jurisdiction, the right of the Philippine people to be respected is indubitable, even though the government established by them to preserve social order were not officially recognized; and their nonrecognition as a belligerent is not an obstacle thereto. All countries born of a colony, and later established as a nation by their own will, with or without the assistance of foreign peoples, have found themselves in a like situation.

The meeting was then adjourned to January 22, 1899, at 3 p. m.

R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.
A. FLORES.
FLORENTINO TORRES.
MANUEL ARGUELLES.

I hereby certify that the foregoing is a true and faithful translation of the respective document in Spanish, to the best of my knowledge and belief.

FRANK L. JOANNINI.
Official Translator, Insular Division.

[Spanish copy not received in War Department.]

MANILA, P. I., *January 17, 1899.*

The third meeting of the commissioners appointed by Major-General Otis and General Aguinaldo met on the above date for the purpose of reading, correcting, and amending the proceedings of the two previous meetings, and for the purpose of further conferring as to the wis-

aims, and desires of the Philippine people. The proceedings of all previous meetings were duly read in both Spanish and English, and a copy in English, together with the Spanish translation thereof, were furnished the commissioners of General Aguinaldo and their interpreters.

The proceedings having been properly corrected, the commissioners for General Otis made inquiry of the commissioners of General Aguinaldo if they had made any further investigations or could make any further statement as to the wishes and desires of the Philippine people, or place in some definite shape their ideas at least as to the general terms and conditions which should govern the protectorate previously indicated as their desire.

To which reply was made by the commissioners of General Aguinaldo that the Philippine people desired to have a protectorate established over the islands by the United States under such terms and conditions as might be hereafter agreed upon, and for that reason they had requested at the previous meeting that the wish of the people for such protectorate be cabled to the authorities at Washington, in order that General Aguinaldo might call his congress together for the purpose of framing the terms and conditions to govern the protectorate.

The commissioners of General Otis thereupon asked if it was the understanding of the commissioners of General Aguinaldo that the Philippine people desired the United States to declare a protectorate, but reserve to themselves the right to propose the terms which were to control it.

To this inquiry the commissioners of General Aguinaldo responded that in their opinion the terms would be the result of a convention and agreement between the Congress of the United States and the congress of the Philippine people after the independence and government of same had been recognized by the American Government.

The commissioners for General Otis thereupon insisted that the commissioners of General Aguinaldo ought to give for him at least an informal expression of opinion as to what kind of a protectorate the people really wished, and some idea of the general conditions which in his opinion ought to be a controlling factor in its establishment; that there were no fixed or well-established rules or laws governing protectorates, and that protectorates were as varied and distinct in their nature as the countries declaring them and the peoples for whose benefit they were made; that a protectorate might mean one thing in the Transvaal, another in Tunis, and a protectorate in Cochin China would wholly differ from both.

To this the commissioners for General Aguinaldo replied that while the suggestions embodied in the previous question seemed to them reasonable and just, still, the consummation of all terms and conditions affecting the protectorate had been reserved by General Aguinaldo until the government of Mollolus was recognized.

The commissioners for General Otis then asked if they were to understand that it was the wish of the Philippine people to have the United States first recognize their independence and their government and at the same time blindly establish a protectorate over both, without knowing or being informed in one single particular of the nature, character, or extent of the protectorate desired.

The commissioners of General Aguinaldo by way of answer said that as the Philippine people was the weaker of the two peoples, and

desired a protectorate by the United States, both for convenience and as a matter of gratitude, it was natural to suppose that the Philippine people would propose the most reasonable terms, and those best calculated to meet the wishes of the United States, but that it was not the desire to have the United States establish a protectorate over them in the same manner as over savages.

The commissioners for General Otis again inquired of the commissioners of General Aguinaldo if it was not possible for them, who are in almost daily contact with all the leaders of the Philippine people and the men to whom the Philippine people looked for advice and counsel, to give some idea of at least the most important conditions of the protectorate desired.

To which the commissioners for General Aguinaldo answered that they could not on account of lack of concrete instructions, and, moreover, that was a matter for their congress and government when recognized.

The commissioners for General Otis then inquired if the commissioners for General Aguinaldo had no information whatever as to the attitude of the Philippine people on such important matters as treaties with foreign nations, declarations of war, and all other foreign relations, and could give no information to the commissioners for General Otis as to whether the Philippine people expected to have entire control over those matters and to involve the protecting power in war or place it by treaties at a trade disadvantage without remedy or recourse. In other words, if it was the idea of the Philippine people to wholly and independently manage its foreign relations of every character and to only permit interference of the United States to protect them when they got into trouble with other powers.

Colonel Arguelles, one of the commissioners for General Aguinaldo, responded that he could give his own impression, from what General Aguinaldo said, that the Philippine people would accept no other protectorate than the United States, as a matter both of convenience and gratitude, and that from their weakness the Philippine people would be in perfect accord with the United States in all foreign relations, and would never enter into any alliance inimical to them. General Flores, also a commissioner for General Aguinaldo, stated that in his opinion the protecting power should have a controlling voice in all foreign relations, but that the management of interior affairs ought to be left to the Philippine people, and that compensation of some character should be given to the United States for its protection.

The commissioners for General Otis then inquired if it were not possible for a protected power to become involved in foreign complications solely by reason of its interior management, and if justice and fair dealing did not require that a protector should have some voice to some extent in the management of the interior affairs of the protected, so as to avoid, if possible, such foreign complications, or at least avoid being involved in an affair concerning whose merits it knew and could know nothing.

Señor Torres, one of the commissioners of General Aguinaldo, responded that he readily saw how interior management might cause serious difficulties with foreign powers, and that in his opinion the protector should be allowed at least great moral interference, and that for the very reason that it rendered its guarantee to the powers of civilized people that the persons in charge of governing and directing the

Philippine people would comply faithfully with the laws that the same people had imposed on itself, applying and observing them with rectitude and justice, his own conviction was that the Philippine people, understanding as they did the need of protection, would do almost anything required by the United States not inimical to their rights and interests.

It was then stated by the commissioners of General Otis that for the Government of the United States to impose anything not consistent with human rights on a people who had been oppressed a reversal of all its history and its traditions must first ensue.

The commissioners for General Aguinaldo then stated that they had been given to understand their statement that "The aspiration of the Philippine people is independence with the restrictions resulting from the conditions which its government may agree with the American when the latter agrees to officially recognize the former" had been cabled to Washington. Touching that matter the commissioners for General Aguinaldo desired to know when an answer might be expected.

The commissioners for General Otis in reply stated that they had no information upon that subject, but that in their opinion the Philippine people could hardly expect the establishment of a protectorate by cable in view of all the consequences entailed and the responsibility assumed, and inasmuch as the commissioners for General Aguinaldo declined to state any of the conditions or terms upon which they would ask a protectorate until those terms and conditions had been voiced by the people through a congress, they could hardly expect the Government of the United States to establish a protectorate until its Congress had at least a reasonable time to consider the matter. Moreover, as a Commission had been recently appointed by the President of the United States, and would probably meet in the islands in the near future for the purpose of bringing about those conditions most suitable to the Philippine people, it might be taken that the immediate appointment of the Commission was the best answer to their note as indicating the wish and desire of the United States to secure the rights of the Philippine people and to insure their preservation by such means as would best meet the approbation of all fair-minded men.

General Aguinaldo's commissioners then stated that for the sake of peace, and with the object of appeasing the excitement of the Philippine people, who are decidedly opposed to admitting any colonial government and are disposed to repel with force any attempt at coercion, the American Government could well recognize the independence of the country and admit the protectorate in principle which in some way limits independence, and communicate the recognition and admission by wire in order that the conditions of the protectorate be at once presented, for without said previous recognition the Philippine people may obtain only the right of autonomy and not the right of sovereignty.

The commissioners for General Otis in reply said if the statement last made was to be considered as indicating a belief on the part of the Philippine people that force and violence were about to be used on them, then they wished to call attention to the fact that the army of occupation had committed no overt act and had done nothing on its part looking to hostility against any of the residents of the archipelago. The United States had carefully and scrupulously avoided every act which would bear the appearance of intended hostility, and that had it

been the intention of the United States to use violence it could readily have been used before and many complications of the future avoided. Moreover, the orders were positive to the army of occupation not to initiate any conflict with the people of the Philippines, and that if any such conflict was brought about it would only ensue as the result of the hostile acts of others than the United States. If, however, the statement of the highly respected and distinguished commissioners of General Aguinaldo was intended as a covert threat that hostilities would be begun by the Philippine people unless the United States at once acceded to their wishes, and because they had a suspicion that they were to be unjustly treated, then the commissioners for General Otis begged to say that the argument of force had no weight with them and could have none with General Otis or the Government he represented, and that an appeal to the armed hand had no convincing power and would avail nothing, while a faithful and true presentation of the just claims of the Philippine people to the United States might accomplish much. The commissioners for General Otis further said that they felt it their duty to strongly resent and deny any suggestions that the Philippine people were to be unjustly or improperly dealt with by the Republic whose whole history and consistent national policy marked her as the friend and refuge of the oppressed of all nations.

The commissioners for General Aguinaldo said that the foregoing statements pleased them greatly, for in view of them they have the certainty that the United States will not impose in these islands a government contrary to the aspirations of the people; that they have not spoken proffering a threat, but simply stating the truth, such as the commissioners for General Otis desire to be informed of, or, that is to say, the suspicions of the Philippine people that they are to be unjustly dealt with, based on the grievances received, the reparation of which has not been made spontaneously, as they had a right to expect from a friendly people together with which it had fought for the cause of humanity and freedom.

To which the commissioners for General Otis made answer that the respected commissioners for General Aguinaldo must not assume that promises or agreements of any kind were being made by them, as no such power or authority had been conferred upon them by their appointment.

Complaint was made by the commissioners of General Aguinaldo that search for arms had been made in many of the houses of Manila and that such search very much aggrieved the residents.

To this General Hughes, one of the commissioners for General Otis, responded that Manila was under the military occupation of the United States, and that by virtue of that occupation the military occupant had the inherent right to search for all contraband of war and to seize the same wherever and with whomever found. However, he would say that no search of any building was ever made except on reliable information that arms and munitions were actually stored there. General Hughes further stated that quite a number of arms had been found in various buildings, and taking into consideration that they had been concealed for months in violation of law, he felt justified in stating that they had been hidden for no good purpose.

The commissioners of General Aguinaldo then stated that as a result and demonstration of righteous intentions and good relations the

asked that no more reinforcements be requested and sent to the islands; that the steamer *Albatross* and other vessels seized by the Navy be returned to General Aguinaldo, and that permission be granted to merchant vessels to sail flying the Philippine flag under the American guarantee in order to avoid greater prejudices to the country and its trade, adding that no further acts of sovereignty be exercised in the archipelago, as a token of friendship between both peoples.

The commissioners for General Otis suggested that to require a demonstration of righteous intentions implied the existence of improper designs, and that implication they wished most strongly to repudiate and deny. As to the return of seized vessels and the flying of the Philippine flag, that was a matter belonging exclusively to the Navy, but that, nevertheless, they would inform General Otis of the proposition. As to the sending of additional troops to the islands by the United States, the commissioners of General Otis stated that the primary purpose of sending them was to relieve the volunteers with regulars, and that such purpose would unquestionably be carried out unless hostilities were begun or seriously threatened; that a strong force of trained troops must of necessity be maintained on the islands for a considerable time in order to prevent their unlawful occupation and keep the peace, and that it would be the height of folly to await the commission of actual unlawful aggressions and then send 8,000 miles for troops to resist them, when the mere presence in the archipelago of an adequate military force would be the best security against even the initiation of any policy of interference.

The commissioners for General Aguinaldo replied that it has never been their purpose to enter into the intentions of the Government of the United States, and that what they had desired to state was that the positive acts by the United States would be in accordance with the antecedents and history of the great Republic.

As to the question of sovereignty, the commissioners for General Otis submitted that the sovereignty of Spain had been superseded by the United States, and that sovereignty must be exercised by some recognized international power. It was then inquired by whom sovereignty should be exercised if not by the United States.

As to the exercise of sovereignty over the islands, the commissioners for General Aguinaldo responded that the cession of sovereignty was made on a basis which did not exist, inasmuch as the ceding power did not exercise sovereignty at the time of the cession, and a de facto sovereignty over nearly the whole of the ceded territory was exercised by the Philippine people.

The commissioners for General Otis reiterated that the sovereignty of the islands was originally vested in Spain; that that sovereignty as the result of war had passed to the United States, the successful power, and that the Philippine people, never having been recognized as belligerents or an independent people, could hardly be said to have divested themselves of the character of subjects. It was further said by the commissioners for General Otis that sovereignty was the mere abstract right of a State to exercise jurisdiction over all matters arising within its territorial limits and to enter into relations with other States, and it could therefore hardly be said to exist in the absence of government, which is the means through which jurisdiction must be exercised and sovereignty manifested. The commissioners for General Otis said, in addition, that while there might be a suspension

of the exercise of the right of sovereignty, there could be no interregnum in sovereignty, and that, once established over certain territorial limits, it must thereafter reside in some recognized sovereign power.

To the foregoing statement of the commission for General Otis the commissioners for General Aguinaldo replied that sovereignty is inalienable and issues directly from the people, and that at the historical moment of the cession of the archipelago the Philippine people, tired of so much injustice, had decidedly expressed its will of exercising, as it actually exercised, its own sovereignty and destroyed by the force of arms the controlling power and established a government, by means of which it has announced to the world the exercise of its full jurisdiction. Therefore the right of the Philippine people of being respected is indisputable, although the government it has established for the maintenance of social order had not been officially recognized. The nonrecognition of its belligerency is no objection. Peoples issuing from a colony to be afterwards constituted into a nation by their own will with or without the help of other peoples have found themselves in the same situation.

An adjournment was then taken to January 22, 1899, at 3 o'clock in the afternoon.

R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.
FLORENTO TORRES.
A. FLORES.
MANUEL ARGUELLES.

MANILA, P. I., *January 22, 1899.*

The fourth conference of the commissioners appointed by General Otis and General Aguinaldo met on the above date for the purpose of reading, correcting, and amending the proceedings of the meeting of January 17th, 1899, and for the purpose of further conferring as to the wishes, aims, and desires of the Philippine people. The proceedings of the meeting of January 17th were duly read in both Spanish and English, and a copy in English, together with a Spanish translation thereof, were furnished the commissioners of General Aguinaldo and their interpreters.

The proceedings of the meeting of January 17th having been properly corrected and amended as hereinbefore set forth, the commissioners for General Aguinaldo begged leave to state that they were authorized to say that if the United States would recognize the government of Malolos and the independence of the people and formally declare a protectorate over the islands under conditions to be thereafter agreed upon, General Aguinaldo would procure a declaration from the government at Malolos that the United States was recognized as the protector of the Philippine Archipelago, and that no other nation would be taken as a protector.

The commissioners for General Otis thereupon stated that before formally declaring a protectorate the United States might well wish *in limine* to have some idea of at least the most salient features which it was desired should mark the protectorate.

The commissioners for General Aguinaldo then inquired if any

answer had been or would be made touching the grievances recited by them at the first meeting and embodied in the first day's proceedings.

To which inquiry the commissioners of General Otis responded that as the official record had not been completed the matter had not been submitted to General Otis except verbally, and that an answer could hardly be expected from him until such time as the proceedings had been completed, properly signed, and submitted to him.

The commissioners for General Aguinaldo stated that in view of the impatience of the Filipino people at seeing their independence secured, they begged, firstly, that General Otis dispatch another telegram asking for an immediate answer from the Washington Government as regards the recognition of independence with the protectorate in principle, and, secondly, that as, according to the American commissioners, it was not a matter for General Otis to give permission to sail with the Philippine flag, they therefore begged that their claims be transmitted to the Washington Government for the return of the seized vessels in order to prevent the country from greater prejudices.

To which the commissioners for General Otis responded that they would bring the matter to their general's attention.

The hour being late, an adjournment was then taken to the 26th of January, 1899, at 4 o'clock in the afternoon.

R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.
FLORENTO TORRES.
A. FLORES.
MANUEL ARGUELLES.

MANILA, 22 de Enero de 1899.

La cuarta conferencia de los Comisionados nombrados por el General Otis y el General Aguinaldo se celebró en la fecha que arriba aparece con el propósito de leer, corregir y enmendar el acta de la reunión de 17 Enero y para seguir conferenciando acerca de los deseos y aspiraciones del pueblo Filipino. El acta de la reunión del 17 de Enero se leyó en castellano e inglés y un ejemplar en inglés con su traducción al castellano se entregó a los Comisionados del General Aguinaldo y a sus interpretes.

Y habiéndose corregido enmendado dicha acta, los Comisionados del General Aguinaldo pidieron permiso para manifestar que habían sido autorizados para decir que si los Estados Unidos reconociesen el Gobierno de Malolos y la independencia del pueblo y declarase formalmente el protectorado * * * sobre las islas en las condiciones que despues se acordasen, el General Aguinaldo obtendría una declaración del Gobierno de Malolos de que los Estados Unidos eran reconocidos nación protectora del Archipiélago Filipino y que la protección de ningún otra sería aceptado.

Los Comisionados del General Otis manifestaron a su vez que antes de declarar el protectorado los Estados Unidos podrían muy bien desear tener una idea in limine por lo menos de los factores más salientes que se deseaba señalasen el protectorado.

Los Comisionados del General Aguinaldo preguntaron entonces si

se habia dado o se daria una contestacion con respecto a los agravios expuestos en la primera reunion e incluidos en acta del primer dia.

A cuya preguntaron los Comisionados del General Otis respondieron que como el acta oficial no habia sido completada el asunto no se habia llevado el conocimiento del General Otis mas que verbalmente y que era dificil esperar una contestacion de suparte hasta que las actas quedasen terminadas, firmadas y le fuesen presentadas.

Y en vista de lo avanzado de la hora se levanto la sesion hasta el 26 de Enero de 1899, a las 4 de la tarde.

MANILA, *January 22, 1899.*

The fourth conference of the commissioners appointed by General Otis and General Aguinaldo was held on the above date for the purpose of reading, correcting, and amending the minutes of the meeting of January 17, and to continue the conference with regard to the desires and aspirations of the Philippine people. The minutes of the meeting of January 17 were read in Spanish and English, and a copy in English with its translation into Spanish was delivered to the commissioners of General Aguinaldo and to their interpreters.

And said minutes having been corrected and amended, the commissioners of General Aguinaldo requested permission to state that they had been authorized to say that if the United States recognized the government of Malolos and the independence of the people, and should formally declare the protectorate over the islands under the conditions subsequently to be agreed upon, General Aguinaldo would obtain a declaration from the government of Malolos to the effect that the United States were recognized as the protecting nation of the Philippine Archipelago and that the protection of no other nation would be accepted.

The commissioners of General Otis stated in their turn that before declaring the protectorate the United States would well desire to have an idea in limine at least of the most salient factors which it was desired should mark the protectorate.

The commissioners of General Aguinaldo then asked whether an answer had been or would be given with regard to the grievances mentioned at the first meeting and included in the minutes of the first day.

To which question the commissioners of General Otis answered that as the official record had not been completed the matter had not been brought to the attention of General Otis, except verbally, and that an answer was hardly to be expected from him until the records were closed, signed, and presented to him.

And in view of the advanced hour, the session was adjourned to January 26th, 1899, at 4 p. m.

(No signatures.)

I hereby certify that the foregoing is an exact and faithful translation of the original document in Spanish, to the best of my knowledge and belief.

FRANK L. JOANNINI,
Translator, Insular Division.

MANILA, P. I., *January 26, 1899.*

The fifth conference of the commissioners appointed by Major-General Otis and General Aguinaldo was had on the above date, all commissioners being present, as at all previous sessions. The minutes of the proceedings of all previous sessions were again carefully read, corrected, and amended. The proceedings for the sessions of January 11th and January 14th, 1899, were then signed in duplicate by the commissioners representing Major-General Otis and General Aguinaldo, the commissioners for the respective parties retaining an original transcript of such proceedings set out in Spanish and English and signed by all the commissioners.

The commissioners for Major-General Otis then inquired if the contest with Spain inaugurated by the Philippine people in 1896 was not commenced to obtain certain reforms.

On this the commissioners for General Aguinaldo responded that the contest of the Philippine people was for independence, but that, being unable to accomplish that, the revolutionary government had promised on certain reforms, which had been promised by the Spanish Government; that the Spanish Government, however, had failed to keep its promise to give these reforms, and after the 1st of May, 1898, the contest with Spain was renewed. The treaty by which the revolution of 1896 was ended is known as the Peace of Biak na Bato, and was in writing; but the commissioners of General Aguinaldo stated that it would be very difficult to obtain a copy of it. They therefore declared that notwithstanding the treaty of Biak na Bato, a few revolutionary leaders continued a desultory conflict with Spain, not being content with the terms of the treaty and refusing to accede to it. The revolutionary government, however, was discontinued after the signing the treaty of Biak na Bato, and was not reformed prior to May 1, 1898. The commissioners for General Aguinaldo then stated that certain members of the revolutionary forces employed in a telegraph office established in Manila by General Aguinaldo, who had been arrested by the American authorities, be released or admitted to

On this General Hughes, one of the commissioners of General Otis, responded that he had granted the privilege of conducting this office in favor, and that he was sorry to say that his courtesy in that regard had been abused by the prisoners, to the extent of establishing a system of espionage on American officials for the purpose of creating divisions between the two peoples by misrepresentation and false statements, and that, moreover, the prisoners had established a post-office at which they received letters, sold stamps, and transacted a post-office business within the exclusive jurisdiction of the military authorities of the United States.

On this the commissioners for General Aguinaldo made reply that such acts were unwarranted, and that they would call the matter to the attention of General Aguinaldo.

General Hughes then stated that when he had taken possession of the telegraph office he had seized a number of letters and communications addressed to General Aguinaldo and others at Malolos which he had delivered to and did then deliver unopened to the commissioners for General Aguinaldo.

The commissioners for General Aguinaldo then called attention to the fact that Captain Del Monte, of the revolutionary forces, had been

shot and killed in the City of Manila, and asked if a proper investigation had been made of that killing.

General Hughes responded that proper investigation had been made that Captain Del Monte and two others separated themselves from a crowd of Philippine people on the approach of an American sentry, and that Captain Del Monte immediately drew his pistol, in an apparently hostile manner to the American sentry, whereupon the American sentry drew his revolver, believing his life to be in danger, and mortally wounded the captain; that immediately after being shot the captain fled, and the American sentry, upon being asked if he had fired, announced that the captain had drawn a pistol, and that a search had been made for the wounded man, and he had been found seated on a doorstep, groaning in pain from his wound, a woman in attendance upon him, who withdrew on the approach of the American sentry and an American officer, concealing something in her bosom; that a belt and holster of a pistol were found on the body of the captain, but no pistol; that the captain had no right to carry a pistol within the limits of Manila; that he knew it to be against the law when he drew it in an offensive attitude towards the American sentry; that the sentry was justified in taking such measures for self-protection, and that to him seemed best to meet the emergency brought about by the lawless acts of the insurgent officer.

The commissioners for General Aguinaldo replied that it was true that the captain did have a pistol, but that they had witnesses, if they were informed, could testify to facts to show the shooting was entirely unjustifiable.

General Hughes responded that he would be glad to see the witnesses and take their statements at any time.

The commissioners for General Aguinaldo then stated that the Philippine people were fretting under the delays in answering their telegrams which had been sent by General Otis to Washington, and that, in view of their aspirations, this being the cause of the people's lack of confidence and feeling of unrest from which the American soldiers were altogether exempt. For this reason, in compliance with special orders from General Aguinaldo, they requested that in order that the feeling of unrest be not aggravated, special orders be issued to the soldiers, especially the police, to endeavor to prevent acts of violence against others which the people consider abusive, such as making use of firearms without a previous resistance.

The commissioners for General Otis responded that touching the matter of delay in replying to their request for a protectorate, a considerable time must be given to matters of such grave import as materially affected the material rights of one of the two peoples and which would immensely influence the future destiny and aspirations of the Philippines; that the manifestations of such impatience under such circumstances and the committing of acts of violence against both life and property would hardly commend them, if continued, as a people possessing the calm, sober, and careful deliberations so necessary for a stable government. The commissioners for General Otis further said that they would be sorry to believe that the Philippine people were a lawless people who, while matters were under deliberation, would rather resort to themselves of the weapon of violence than the potent force of a fair argument and right reason. Moreover, it would produce a very unfavorable impression on the powers of the world if it was to be given out

the government which they claimed to have organized had so little of authority and respect that those whom it claimed to be its subjects could not be controlled by it while deliberations were being had looking to their future welfare and happiness. General Hughes, one of the commissioners for General Otis, further responded that touching the matter of acts of violence by soldiers and others, which the people considered abusive, such as making use of firearms without previous resistance, the greatest care had been used and is continued to be used in preventing acts of unlawful violence, whether by soldiers or others; that no wrongful act perpetrated upon any resident had, as yet, to his knowledge, passed unredressed and unpunished after the same had been brought to the attention of the proper officials; that the only matter which could even be considered as a grievance, and which had been up to this time unremedied, was the failure of some of the soldiers to pay accounts incurred by them, but that even that was under consideration, and in the near future a remedy would probably be provided. As to adopting the rule that firearms should not be used without previous resistance, that could not be considered by him, as it was not the law, and would preclude the use of firearms until after actual violence had been committed, thus putting the unoffending at the mercy of the aggressor, and that criminals endeavoring to escape after being commanded to halt would not be permitted to go free if the use of firearms would stop them. Colonel Smith, one of the commissioners for General Otis, further stated that he could challenge the production of any resident of the city of Manila who had made a just complaint to the proper officials and departed without receiving justice; that even for slight offenses committed against residents in the city of Manila by soldiers he knew that most severe punishments had been inflicted. On the subject of accounts not paid by soldiers, Colonel Smith stated that he knew steps were being taken to cause said accounts to be liquidated as far as possible.

Mr. Torres, one of the commissioners for General Aguinaldo, stated that much of the friction and trouble had been developed at times between the soldiers and native residents by the diversity and difference of languages spoken by the two peoples. He further said that with the exception of some rare instances he was proud in saying that as a general rule the Philippine people have been behaving with good sense and prudence, which is all the more remarkable as it is the first time they have enjoyed absolute liberty and are almost abandoned to their own desires, taking into consideration that the action of the Malolos government, hindered by the present reigning circumstances, is not developed freely and efficiently, and in spite of which there exists plenty of order and life and property continues being guaranteed in the archipelago, or, that is to say, in all the territory in which their government of Malolos exercised power. The commissioners for Aguinaldo then announced that the Philippine people had adopted a constitution and proclaimed a republic for the government of the islands.

To which the commissioners for General Otis responded that of course they could not recognize the adoption of any constitution or any government claimed to have been proclaimed by them, but requested that they might be furnished with a copy of the alleged constitution with such proceedings as were claimed to have been had under it for their information, which request the commissioners for

General Aguinaldo stated they would endeavor to comply with, and added that they had taken into consideration the lack of authority to recognise the government or to grant any request, and that in making the foregoing statement they did not do it with the purpose of having the constitution adopted by the Philippine people recognised, but only that the commissioners for General Otis inform their general and government.

The joint conference then adjourned to next Sunday, January 20th, at 4 p. m.

R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.
A. FLORES.
FLORENTO TORRES.
MANUEL ARGUELLES.

MANILA, 26 de Enero de 1899.

La quinta conferencia de los Comisionados nombrados por el Mayor General Otis y General Aguinaldo se celebró en la fecha arriba inserta, estando, como en las sesiones anteriores, presentes todos los Comisionados. Las minutas de todas las sesiones anteriores fueron de nuevo leídas detenidamente, corregidas y enmendadas. Las actas de las sesiones de 11 y 14 de Enero fueron entonces firmadas por duplicado por los Comisionados representando al Mayor General Otis y General Aguinaldo, conservando las comisiones respectivas un ejemplar original de dichas sesiones su inglés y castellano y firmado por todos los Comisionados.

Los Comisionados del Mayor General Otis preguntaron entonces si el conflicto con España iniciado por el Pueblo Filipino en el año 1896 no había tenido por objeto la obtención de ciertas reformas.

A esto respondieron los Comisionados del General Aguinaldo que el pueblo Filipino luchó por la independencia pero que no pudiendo obtenerla, el Gobierno Revolucionario pactó ciertas reformas que habían sido prometidas por el Gobierno Español; que el Gobierno Español no habiendo cumplido su promesa de conceder dichas reformas, después del 10 de Mayo de 1898, la lucha con España volvió a entablarse. El tratado por el cual se terminó la Revolución de 1896 se conoce con el nombre de Paz de Biak-na-bato y se extendió por escrito pero los Comisionados del General Aguinaldo dijeron que sería muy difícil hacerse de copia de ella. Declararon que apesar del tratado de Biak-na-bato algunos jefes Revolucionarios continuaron combatiendo aisladamente contra España, en vista de no estar conforme con los términos del tratado y de negarse a aceptarlo. El Gobierno Revolucionario suspendió después de firmar el tratado de Biak-na-bato y no volvió a constituirse antes del 10 de Mayo del 1898.

Los Comisionados del General Aguinaldo pidieron entonces que ciertos individuos de las fuerzas Revolucionarias empleados en la oficina de telegrafos establecida en Manila por el General Aguinaldo y que habían sido detenidos por las Autoridades fuesen puestos en libertad o se les admitiese una fianza.

El General Hughes, de la Comisión del General Otis, respondió a esto, que él había concedido el permiso para abrir esta oficina como un favor, y que sentía que hubiese abusado de su cortesía hasta al extremo

de establecer un sistema de espionaje sobre los funcionarios Americanos con el proposito de enemistar a los dos pueblos tergiver sando y enviando noticias falsas, y que ademas los detenidos habran establecido una oficina de correos dondo recibran cartas, vendian sellos y tenian un negocio de la exclusiva jurisdiccion de las autoridades militares de los Estados Unidos.

Esto contestaron los Comisionados del General Aguinaldo que dichos actos no habran sido autorizados y que llamarian la atencion del General Aguinaldo sobre el particular.

El General Hughes manifesto entonces que se habra apoderado de la oficina de telegrafos y de gran numero de cartas y comunicaciones dirigidas al General Aguinaldo y otras personas en Malolos las cuales entregaba sin obrir a los Comisionados del General Aguinaldo.

Los Comisionados del General Aguinaldo llamaron entonces la atencion sobre el hecho de haber sido muerto el Capitan Bel-Monte de las fuerzas Revolucionarios en Manila y preguntaron si se habia hecho una avengucion sobre su muerto.

El General Hughes respondio que se habran hecho las avenguciones precisas que resultanon en lo siguiente; que el Capitan Bel-Monte y dos otros se habran destacado de un grupo de Filipinos al aproximarse un guardia Americano, y que el Capitan Bel-Monte inmediatamente saco su revolver al paracer en actitud hostil, por lo que el guardia Americano saco tambien su revolver creyendo su vida amenazada, hiriendo mortalmente al Capitan, que inmediatamente despues del disparo el Capitan huyo y el guardia Americano al ser preguntado porque habia disparado contesto que el Capitan habia sacado su revolver: que se busco al herido y se la encontro sentado en un escalon que jandose de su herida ya su lado una muger que se retiro, al aproximarse el guardia Americano acompañado de un oficial, ocultando algo entre su ropa, que sobre el herido se encentio un cinturon y porta revolver pero no esta ultimo, que el Capitan no tenia derecho a llevar armas dentro de las limites de Manila: que sabia que estaba faltando a la ley y que al sacarlo en actitud hostil queda justificado que el guardia Americano tomase las medida de precaucion necesarias para el caso suscitado por los actos ofensivos del oficial insurrecto.

Los Comisionados del General Aguinaldo respondieron que el Capitan llevaba un revolver, pero que ellos tenian testigos que les decian podrian deponer acerca del hecho y demostrar que la muerte habia sido injustificada.

El General Hughes respondio que se alegraria de ver a los testigos y recibir sus declaraciones a cualquier hora.

Los Comisionados del General Aguinaldo expusieron entonces que el pueblo Filipino estaba impaciente por las demoras en la contestacion del telegrama enviado por el General Otis a Washington con respecto a sus aspiraciones siendo esta la causa de la falta de confianza e entranquilidad del pueblo de los cuales los soldados Americanos no estaban del todo exentos. Por esta razon cumpliendo ordenes especiales del General Aguinaldo, pedian que a fin de que el sentimiento popular de entranquilidad no se acentuase se diesen los ordenes oportunas a los soldados especialmente a la policia para que procuren evitar actos de violencia y otros que el pueblo considera abusivos, tales como hacer uso de las armas de fuego sin previa resistencia.

Los Comisionados del General Otis respondieron que con respecto a la demora en contestar a su peticion por el protectorado habia que

conceder una cantidad de tiempo razonable en asunto de tal importancia que afectaba los derechos materiales de uno de los dos pueblos y que influiria grandemente en el futuro destino y aspiraciones del otro, que las manifestaciones de impaciencia en tales circunstancias y la Comision de actos de violencia contra la vida y la propiedad, si continuaban los recomendarian bien poco como pueblo que posee la calma, sobriedad y deliberacion cuidadosos necesarios para un gobierno estable. Los Comisionados del General Otis anadiéron que sentirian ver que los Filipinos fuesen un pueblo apresurado que, mientras se discutian las cosas, preferiria valerse del arma de la violencia mayor que la poderon fuerza del argumento honrado y buenas razones. Ademas, producira muy mala impresion ante las potencias del mundo si resultase que el gobierno que el los decian haber organizado, tiene tan poca autoridad e impono tan poco respeto que no pudiese dominar a sus subditos mientras deliberaba acerca de su futuro bien estar y felicidad.

El General Hughes, uno de los Comisionados del General Otis, anadio con respeto a los actos de violencia cometidos por soldados y otros, que el pueblo consideraba abusivos, tales como hacer uso de las armas de fuego sin previa resistencia, que el mayor cuidado se habia tenido y se seguia teniendo para evitar actos de violencia ilegales bien por parte de los soldados como de cualquier otro; que ningun acto punible cometido contra cualquier vecino habia hasta entonces pasado desapercibido y sin castigar despues de haber puesto en conocimiento de los oportunos funcionarios que el unico punto que podia considerarse como un agravio y que habia hasta entonces pasado sin remedio, habia sido el negarse a pagar algunos soldados las cuentas adendadas por ellos, pero que aun ese asunto se estudiaba y se esperaba que pronto se hallaria un remedio para el. Que en cuanto a adoptar la regla de que las armas de fuego no debian de usarse sin resistencia previa, que no podia tomarla en consideracion, pues no era asi la ley y que ademas excluirla el uso de las armas de fuego hasta despues que se llegase a cometer el acto violento, colocando asi al pacifico a merced del agresor y que resultaria que los delincuentes que trabasen de escaparse lo podrian hacer si demas de la orden de alto se se hacia uso de las armas de fuego en caso de desobediencia. El Coronel Smith, uno de los Comisionados del General Otis ademas anadio que desafiaba a que hubiera cualquier vecino de Manila que despues de haber hecho una reclamacion justa a las debidas autoridades no habiese recibido justicia: que aun por faltas ligeras cometidas por soldados contra vecinos de la ciudad sabia que se habian impuesto las penas mas severas. Y que encunto a las deudas de los soldados manifesto que sabia que se tomaban las medidas necesarias para liquidar las cuentas pendientes hasta donde fuese posible.

El Señor Torres uno de los Comisionados del General Aguinaldo manifesto entonces que muchos de los razamientos y disgustos entre soldados y vecinos debiase probablemente a la vanidad y difer en de language. Manifesto ademas que salvo casos raros se enorgullesen en hacer constar que por regla general ha venido conduciendose el pueblo Filipino con increíble cordura y prudencia tanto mas notable cuanto por que es la vez primera que goza de pleria y absoluta libertad y se halla casi abandonado a su suerte dado que la accion del gobierno de Malolos embarazado por las actuales circunstancias no se desenvuelve con libertad y eficacia y con todo hoy bastante orden y sig

irada vida y la propiedad en la Archipielago, o siquiera en todo territorio en que ejerce su poder.

Comisionados del General Aguinaldo anunciaron entonces que el pueblo Filipino habia adoptado la constitucion y proclamado la misma como forma de gobierno en las Islas.

que los Comisionados del General Otis, respondieron que desde luego no podian reconocer la adopcion de ninguna constitucion ni de ningun gobierno proclamado, por ellos, pero podian que se les proporcionara una copia de la alegada constitucion y las organizaciones y llevarlas a cabo por la misma, para su conocimiento, cuya peticion dijeron que los Comisionados del General Aguinaldo que procurarian satisfacer; pero como que supuesta la falta de autorizacion para reconocer gobierno, no podian acudir a peticion alguna, al hacer la aludida manifestacion no con el proposito de que fuere reconocida la constitucion adoptada por el pueblo Filipino, sino solo que se sirvan poner la en conocimiento del General Otis y de su gobierno.

La Comision mixta levanto la sesion hasta el domingo 29 de Enero de 1899 a las 4 de la tarde.

FLORENT TORRES.

A. FLORES.

MANUEL ARGUELLES.

R. P. HUGHES.

JAMES F. SMITH.

E. H. CROWDER.

[War Department translation.]

MANILA, *January 26, 1899.*

The fifth conference of the commissioners appointed by Major-General Otis and General Aguinaldo was held on the above date, all the commissioners being present, as at the previous sessions. The minutes of all the previous sessions were again read carefully, corrected, and approved. The minutes of the sessions of the 11th and 14th of January were then signed in duplicate by the commissioners representing Major-General Otis and General Aguinaldo, the respective commissioners retaining an original copy of said minutes in English and Spanish, signed by all the commissioners.

The commissioners of Major-General Otis then asked whether the revolution with Spain initiated by the Philippine people in the year 1896 had for its aim at obtaining certain reforms.

The commissioners of General Aguinaldo replied hereto that the Philippine people fought for independence, but, not being able to obtain a revolutionary government agreed to certain reforms which had been promised by the Spanish Government; that the Spanish Government not having complied with its promise of granting said reforms, on May 1, 1898, the contest against Spain was renewed. The revolution by which the revolution of 1896 was terminated is known by the name of Biak-na-bato and was made in writing, but the commissioners of General Aguinaldo stated that it would be very difficult to produce a copy of it. They stated that notwithstanding the treaty of Biak-na-bato, some revolutionary leaders continued a desultory fight against Spain, not being content with the terms of the treaty and

refusing to accept it. The revolutionary government was suspended after the signature of the treaty of Biak-na-bato, and was not constituted again until May 1, 1898.

The commissioners of General Aguinaldo then asked that certain members of the revolutionary forces employed in the telegraph office established in Manila by General Aguinaldo, who had been arrested by the authorities, be released or admitted to bail.

General Hughes, of General Otis's commission, replied thereto that he had granted permission for the opening of this office as a favor, and that he regretted that his courtesy had been abused to the extent of establishing a system of espionage on American officials for the purpose of creating enmities between the two peoples by tergiversating and transmitting false news, and that in addition the persons arrested had established a post-office, where they received letters, sold stamps, and transacted a business which was under the exclusive jurisdiction of the military authorities of the United States.

Hereto the commissioners of General Aguinaldo answered that said acts had not been authorized and that they would call the attention of General Aguinaldo to the matter.

General Hughes then stated that he had taken possession of the telegraph office and of a large number of letters and communications addressed to General Aguinaldo and other persons in Malolos, which he delivered unopened to the commissioners of General Aguinaldo.

The commissioners of General Aguinaldo then called attention to the killing of Captain Bel-Monte of the revolutionary forces in Manila, and asked whether an investigation of this killing had been made.

General Hughes replied that the proper investigation had been made with the following result: That Captain Bel-Monte and two others separated themselves from a group of Filipinos on approaching an American sentinel, and that Captain Bel-Monte immediately drew his revolver, in an apparently hostile manner, for which reason the American sentinel also drew his revolver, believing his life threatened, mortally wounding the captain; that immediately after the shot the captain fled, and the American sentinel on being questioned why he had fired answered that the captain had drawn his revolver; that the wounded man was sought, and that he was found seated on a doorstep complaining of his wound and a woman beside him, who withdrew on the approach of the American sentry accompanied by an officer, concealing something in her clothing; that a belt and revolver holster, but no revolver, were found on the wounded man; that the captain had no right to carry arms within the limits of Manila; that he knew he was violating the law, and that in drawing it in a hostile manner the American sentry was authorized to take such precautionary measures as the case warranted, arising from the offensive acts of the insurgent officer.

The commissioners of General Aguinaldo answered that the captain carried a revolver, but that they had witnesses who said that they could testify to the facts and prove that the killing had been unjustifiable.

General Hughes answered that he would be very glad to see the witnesses and receive their depositions at any time.

The commissioners of General Aguinaldo then stated that the Philippine people were impatient on account of the delay in answering the telegram sent by General Otis to Washington with regard to their aspirations, this being the cause of the lack of confidence and restlessness of the people, from which the American soldiers were not able

r exempt. For this reason, complying with special orders of al Aguinaldo, they requested that in order that the popular feel-
unrest be not aggravated the proper orders be given to the
rs, and especially to the police, for the purpose of avoiding acts
olence and other acts which the people consider abusive, such as
g use of firearms without previous resistance.

commissioners of General Otis answered that with regard to the
in answering their petition for a protectorate, it was necessary
nt a reasonable time in a matter of such importance which affected
aterial rights of one of the peoples and which would greatly
nce the future destiny and aspirations of the other; that mani-
ions of impatience in such circumstances and the commissions of
f violence against life and property, if continued, would hardly
end them as a people possessing the calm sobriety and careful
ration necessary for a stable government. The commissioners
neral Otis added that they would be sorry to see that the Filipino
s were a hasty people who, while matters were under discussion,
red to avail themselves of weapons of violence rather than the
ful force of honest argument and good reasoning. Moreover,
ld produce a very poor impression before the powers of the
if it should result that the government which they claim to have
ized has so little authority and commands so little respect that it
ot control its subjects while it deliberated with regard to their
elfare and happiness.

neral Hughes, one of the commissioners of General Otis, added
regard to the acts of violence committed by soldiers and others,

the people considered abusive, such as making use of firearms
ut previous resistance, that the greatest care had and would be
to prevent illegal acts of violence either on the part of soldiers
body else; that no punishable act committed against any resident
p to that time, passed unredressed and unpunished after having
brought to the knowledge of the proper officials; that the only
r which could be considered as a grievance and which had to that
een unremedied, had been the refusal of some soldiers to pay the
its owed by them, but that even this matter was being considered
was hoped that soon a remedy would be found therefor. That
regard to adopting the rule that firearms should not be used
at previous resistance, that it could not be considered, that the
as not such, and that, moreover, it would preclude the use of
ns until after the act of violence had been committed, thus plac-
r unoffending person at the mercy of the aggressor, and that it
result in delinquents trying to escape being enabled to do so if,
ition to the order to halt, firearms were not made use of in case
obedience. Colonel Smith, one of the commissioners of General

added, furthermore, that he defied that any resident of Manila
duced who, after having made a just complaint to the proper
ities, had not received justice; that even for slight offenses com-
by soldiers against residents of the city, he knew that the most
penalties had been imposed. And that with regard to the debts
soldiers, he stated that he knew the necessary steps were being
to liquidate the pending accounts in so far as possible.

Torres, one of the commissioners of General Aguinaldo, then
that much of the friction and trouble between soldiers and resi-
was probably due to ostentation and difference of language. He

stated, moreover, that with the exception of very rare instances, he is proud to say that as a general rule the Philippine people had been conducting themselves with incredible judgment and prudence, which is all the more remarkable as it is the first time they have enjoyed full and absolute liberty and almost abandoned to their fate in view of the fact that the action of the government of Malolos, embarrassed by the present state of affairs, does not develop with freedom and efficiency, and in spite thereof there is plenty of order at the present time, and life and property in the archipelago; or rather throughout the entire territory in which it exercises power, continues to be guaranteed.

The commissioners of General Aguinaldo announced then that the Philippine people had adopted the constitution and proclaimed the republic as a form of government in the islands.

To which the commissioners of General Otis answered that of course they could not recognize the adoption of any constitution nor any government proclaimed by them, but they requested that they be furnished with a copy of the alleged constitution and of the organization carried out by virtue thereof, for their information, which request the commissioners of General Aguinaldo stated they would endeavor to comply with; adding that in view of the lack of authority to recognize the government or to grant any request, in making the foregoing statement they did not do it with the purpose of having the constitution adopted by the Philippine people recognized, but only for the purpose of having them bring it to the notice of General Otis and their Government.

The joint commission adjourned to Sunday, January 29, 1899, at 4 p. m.

FLORENTINO TORRES,
A. FLORES,
MANUEL ARGUELLES,
R. P. HUGHES,
JAMES F. SMITH,
E. H. CROWDER.

I certify that the foregoing is a true and faithful translation of the respective document in Spanish, to the best of my knowledge and belief.

FRANK L. JOANNINI
Official Translator, Insular Division.

—
MANILA, P. I., January 29, 1899.

The sixth conference of the commissioners appointed by Major General Otis and General Aguinaldo was held at 4 o'clock on the afternoon of the above date. The commissions firstly engaged in the reading, correction, and amending of the proceedings of the previous meetings, which were definitely approved and signed by both commissions, each one retaining two copies, one in English and the other in Spanish, of the proceedings of each session.

The commissioners of General Otis then presented to those of General Aguinaldo a letter directed by the first-named general to Brigadier General Hughes, which was read there and a copy of which is herein attached, marked "Exhibit A."

The commissioners for General Aguinaldo then presented to the

commission for General Otis the alleged constitution of the Philippine republic, claimed by them to have been formed, and also a list of the delegates to an alleged congress, which framed said alleged constitution. Said documents are marked Exhibits B and C, respectively.

Thereupon the commissioners for General Otis and the commissioners for General Aguinaldo having fully set out their views during the various conferences, it was announced that there was no further business for the present to be transacted by the commissioners of the respective parties.

The commissioners of General Aguinaldo stated afterwards that they were pleased to acknowledge the great courtesy with which the commissioners for General Otis had treated them, and to which they had endeavored to correspond, although feeling sorry that the several conferences held had not given the positive result which they desired and which would satisfy the just and legitimate aspirations of the country.

To which the commissioners of General Otis responded that they were reciprocally indebted to the commissioners of General Aguinaldo for a courteous, calm, and deliberate discussion of the various matters raised in their conferences; that they believed the true interests of the Philippine people were in substantial harmony with American interests in these islands, and that recognition of this fact and substantial agreement could not be long delayed.

The joint commission thereupon adjourned to meet on Tuesday, January 31, 1899, at 4 o'clock p. m.

R. P. HUGHES,
JAMES F. SMITH,
E. H. CROWDER,
FLORENT. TORRES,
A. FLORES,
MANUEL ARGUELLES.

EXHIBIT A.

OFFICE OF THE UNITED STATES MILITARY
GOVERNOR IN THE PHILIPPINE ISLANDS,
Manila, P. I., January 25, 1899.

Brigadier-General HUGHES,

Chairman of committee appointed to meet a committee appointed by General Aguinaldo to confer with regard to the situation of affairs and to arrive at a mutual understanding of the intent, purposes, aim, and desires of the Filipino people and the people of the United States.

SIR: I am informed that the Filipino people do not place confidence in our good intentions which they are seeking from this conference. The fact that the President has appointed a commission seems to have confirmed them in their impressions. It might be well, therefore, to give you a brief history of events having relation to these commissions. They are as follows:

Early in December Admiral Dewey and myself received instructions from Washington to report the condition of affairs and offer suggestions. Upon December 7 Admiral Dewey telegraphed as follows:

It is strongly urged that the President issue a proclamation defining the position of the United States Government in the Philippine Islands and showing the intention that it is our intention to interfere in the internal affairs of the Philippines as little

as possible; that as they develop their capabilities of government their power and privileges will be increased. That will allay the spirit of unrest. The Spanish whites should be expatriated as soon as possible; they are a source of discord and danger.

And the Admiral goes on to say that a force of several regiments raised from among the best insurgent troops and officered by the best of their leaders would do much to disarm opposition.

Upon this suggestion, I think, the proclamation was issued. Later Admiral Dewey cabled—I think some time about the 1st of January, I am not aware of the date—that he thought the appointment of a commission by the President would be an excellent thing. On January 10 I was asked by the Washington authorities what I thought of the appointment of a commission to confer with the revolutionary authorities, and I replied that I thought it might do excellent work here. Before this date, early in January, I had been requested by prominent Filipinos to appoint a committee from my own command to meet a like committee to be appointed by General Aguinaldo. This was done on January 9, one day before receiving the Washington dispatch asking if I thought the appointment of a commission by the President would be advantageous. Hence, what might be styled the two commissions have no relationship whatever; the one, of which you are president, sitting to ascertain the desires of the Filipinos and having no authority to grant concessions except by permission of the Washington authorities; the other commission, appointed from Washington, comes with full instructions from the President of the United States and empowered to act for him.

On January 16, I telegraphed to Washington as follows:

Conditions improving; confidence of citizens returning; business active. Conference held Saturday. Insurgents presented following statement, asking that it be cabled: "Undesignated commissioners of commander in chief of revolutionary army of these islands state to commissioners General Otis that aspiration Filipino people is independence with restrictions resulting from conditions which its government agrees with American when latter agree to officially recognize the former." No conclusion reached; another conference to-morrow evening. I understand insurgents wish qualified independence under United States protection.

To this dispatch no reply has been received.

Upon another matter, viz, the sending of regular troops here, the purpose of which has been greatly misconstrued, you may consult the following dispatch received on December 7:

General Otis, Manila:

The Secretary of War directs you to send Astor Battery home on first returning transport. If you can spare volunteers to take first returning ships, send them in order of their arrival. Six regular regiments are in course of preparation to report to you. It is probable that part of them will sail direct from this coast by way of canal, thus to give you good transports available for service from San Francisco.

The meaning and intent of this dispatch was to return the volunteer troops as soon as possible and to send part back in the transports then in the harbor if practicable. The Astor Battery was sent home, but I declined to send the other volunteer troops at that time, as the revolutionary government had assumed a threatening attitude notwithstanding our great desire for peace and harmony. The orders from Washington have not changed. I still have authority to return the volunteer troops so that they can be discharged in the United States by any returning vessel available, but I decline to return them as long as we are threatened with active hostilities. Under the articles of capitulation still prevailing with Spain, as there has been no ratification

of a treaty, I am obliged to hold Manila and its defenses, but no
le act will be inaugurated by the United States troops.

Very sincerely, yours,

E. S. OTIS,
*Major-General U. S. Volunteers,
U. S. Military Governor in the Philippines.*

EXHIBIT B.

RELICIA FILIPINA—RELACION DE LOS SEÑORES REPRESENTANTES DE
LA NACION.

[Nombres y apellidos.]

Señores Jose Tuason, Higino Benitez, Graciano Cordero, Juan Nepo-
no, Teodoro Gonzalez Leoncio, Felix Ferrer Pascual, Arsenio
Herrera, Mariano Lopez, Gregorio Aguiresa (hijo), Jose F.
eres, Joaquin Gonzalez, Jose R. Infante, Jose Santiago, Ambrosio
zares Bautista, Mariano Crisostomo, Jose Basa, Jose Salamanca,
o Ilagan, Ricardo Paras, Sofio Alandy, Vicente Prado, Antonio Filici-
Joaquin Luna, Vicente Foz, Ignacio Villamor, Juan Manday Gabriel,
orio Aglipay, Martin Garcia, Vicente Guzman Pagulayan, Justo
an, Tomas Arejola, Salvador Vivencio del Rosario, Marcial Cal-
Joaquin Baltazar, Abelardo Guzman, Agudo Velarde, Jose Luna,
nio Luna, Mena Crisologo, Raymundo Alindada, Manuel Ferez
os, Pablo Tecson, Isidro Paredes, Hipolito Magsalin, Alberto
etto, Ceferino de Leon, Fernando Canon, Leon Apacible, Pablo
npo, Ariston Bautista, Trinidad P. de Tavera, Esteban de la Rama,
cio Figuersa, Simplicio del Rosario, Jose M. de la Nina, Javier
alez Salvador, Ariston Gella, Miguel Zaragoza, Lucas Gonzalez
inang, Mariana V. del Rosario, Felipe Buencamino, Teodoro San-
Tomas G. del Rosario, Leon Guerrero, Jose M. Lerma, Juan
on, Jose Albert, Benito Legarda, Felipe Calderon, Santiago
ano, Narciso Hidalgo Resurreccion, Pedro A. Paterno, Mariano
la, Perfecto Gabriel, Mateo del Rosario, Sebastian de Castro,
io Teodoro, Felix Bautista, Vito Belarmino, Jose Coronel, Jose
ndrino, Isidoro Torres, Pio del Pilar, Mateo Gutierrez y Vbaldo,
nte Somosa, Lorenzo del Rosario, Telesforo Chuidian, Jose Fer-
ez, Manuel Gomez Martinez, Sotero Laurel, Domingo Samson,
icio Baylon, Arcadio del Rosario, Santiago Barcelona.

MANILA, 29 de Enero de 1899.

La sexta conferencia de los Comisionados nombrados por el Mayor
ral Otis y General Aguinaldo se celebro a las cuatro de la tarde
fecha arriba expresada. Las Comisiones se ocuparon primera-
e en la lectura enmienda y correccion de las actas de las reuniones
iores que quedaron definitivamente arregladas y firmadas por las
Comisiones cada una de las cuales conservo dos ejemplares uno en
s y otro en castellano del acto de cada sesion.
s Comisionados del General Otis presentaron entonces a los del
ral Aguinaldo una carta dirigida por el primero al General Hughes

que fue leida y cuya traduccion va unida al presente acta señalada con letra "A."

Los Comisionados del General Aguinaldo a su vez presentaron a la Comision Americana un ejemplar de la alegada constitucion de republica Filipina que ellos anunciaron habia sido formado, asi como una lista de los delegados del alegado Congreso que redactó dicha constitution. Ambos documentos van unidos á esta acta señalados con letras B y C respectivamente.

Y habiendo los Comisionados del General Otis y del General Aguinaldo expuesto sus miras por completo durante las varias conferencias celebrados, anuncióse que no habia mas asuntos de que tratar por presente por los Comisionados de cada parte.

Los Comisionados del General Aguinaldo manifestaron entonces se complacian en reconocer la gran cortesía con que habian sido tratados por los Comisionados del General Otis y la que ellos habian procurado corresponder, aunque tomando el sentimiento de que en varias conferencias celebradas no se hubiese obtenido el resultado que ellos deseaban y que hubiera satisfecho las justas y legítimas aspiraciones del pais.

A lo cual, respondieron los Comisionados del General Otis que quedaban obligados a la reciproca a los Comisionados del General Aguinaldo por su cortes, serena y deliberada discusion de los varios asuntos tratados en sus conferencias; que creian que los verdaderos intereses del pueblo Filipino estaban en armonia esencial con los intereses Americanos en estas islas y que el reconocimiento de este hecho y arreglo esencial no se haria esperar.

La Comision levanto la sesion para reunirse por ultima vez el martes 31 de Enero de 1899, a las 4 de la tarde.

FLORENT TORRES.
A. FLORES.
MANUEL ARGUELLES
R. P. HUGHES.
JAMES F. SMITH.
E. H. CROWDER.

A.

OFFICINA DEL GOBERNADOR MILITAR DE LOS ESTADOS UNIDOS EN LAS ISLAS FILIPINAS, *Manila, 25 de Enero de 1899.*

Al General de Brigada Hughes:

Presidente de la Comision nombrada para reunirse con la Comision nombrada por el General Aguinaldo para conferenciar con respecto a la situacion de los asuntos y llegar a inteligencia mutua sobre las intenciones, propositos, designio y deseos del pueblo Filipino y del pueblo de los Estados Unidos:

MUY SEÑOR MIO: Se me dice que el pueblo Filipino no tiene confianza en nuestras buenas intenciones que ellos esperare de esta conferencia. El hecho de haber nombrado el Presidente una Comision parece haberles confirmado sus impresiones. Seria, pues conveniente el darle a U. una breve resena de los hechos relacionados con estas Comisiones, que son los siguientes:

A principios de Diciembre el Almirante Dewey y yo recibimos instrucciones de Washington para que diésemos cuenta de la condici-

de los asuntos y para hacer indicaciones sobre el particular. Nacia el 7 de Diciembre el Almirante Dewey telegrafio lo que sigue:

"Se reclama con urgencia que el Presidente expida una proclama definiendo la politica de los Estados Unidos en las Islas Filipinas y demostrando a los habitantes que nuestra intencion es la de intervenir en los asuntos interiores de las Filipinas lo menos posible: que a medida que desarrollen su capacidad para gobernarse sus poderes y privilegios les seran amuentados. Eso apaciguara la excitacion. Los soldados Espanoles deben ser repatriados lo mas pronto posible. son una fuente de discordia y peligro. El Almirante continua diciendo que una fuerza militar de varios regimientos reclutada de entre las mejores tropas Insurrectas y mandado por sus mejores jefes haria mucho para desarmar toda oposicion.

Creo que sobre esta proposicion se expidio la proclama. Mas tarde el Almirante Dewey telegrafio (creo que alla hacia el 1 de Enero, no se de fijo la fecha) que pensaba que el nombramiento de una Comision por el Presidente seria una medida excelente. El 10 de Enero las Autoridades de Washington me preguntaron que me parecia el nombramiento de una Comision para conferencia con las autoridades Revolucionarios y yo respondi que me parecia que aqui podria hacer mucho bueno. Antes de esta fecha, a pricipios de Enero, me pidieron varios Filipinos de representacion que nombrarse una comision de entre los oficiales a mis ordenes que se reunion con otro igual nombrado por el General Aguinaldo. Esta se verifico el 9 de Enero, un dia antes de recibo el despacho de Washington preguntandome si el nombramiento de una Comision por el Presidente seria una medida ventajosa. De aqui el que lo que podria llamarse los dos Comisiones no tienen ninguna relacion. La una de la que V. es presidente constituida para averiguar los deseos de los Filipinos y sin tener autorizacion para poder hacer concesiones sin permiso de las autoridades de Washington la otra Comision nombrada en Washington viene con instrucciones completas del Presidente de los Estados Unidos y autorizada para obrar en su nombre.

El 16 de Enero telegrafio a Washington lo que sigue: "Las circunstancias mejoran, la confianza de los vecinos vuelve, los negocios en actividad. Conferencia celebre Sabado Insurrectos presentaron siguiente manifestacion pidiendo fuese telegrafiado: "Los que subscriben Comisionados de General en jefe del ejercito Revolucionario en estas Islas manifiestan a los Comisionados General Otis que la aspiracion del pueblo Filipino es la independencia con las limitaciones que resulten de las condiciones que el Gobierno acuerde con el Americano cuando el ultimo se comprometa a reconocer oficialmente al primero." No se ha llegadoa ningun acuerdo, manana a la noche otra conferencia. Entiendo que los Insurrectos desean independencia bajo proteccion Estados Unidos."

No se ha recibido contestacion a esto despacho. Sobre otro asunto, o sea, el envio de tropas regulares a esto cuyo objeto ha sido grandemente, puede V. comunicar el siguiente despacho recibido el 7 de Diciembre: "General Otis, Manila, El Secretario de Guerra le ordena envie aca Bateria Astor por primer transporte que vuelva. Si puede V. pasarse sin voluntarios que embarquen en los primeros buques que regresen por el orden de su llegada. Seis regimientos regulares preparanse para ponerse a sus ordenes. Es probable que parte de ellos zarpen directamente de esta costa via canal afin de

dejarle a V. buenos transportes disponible para el servido desde San Francisco."

El significado a intencion de esta despacho era el que regresasen los Voluntarios lo mas pronto posible enviando parte de ellos por los transportes entonces en puerto. La Bateria Astor fue repatriada pero rehuse el enviar otras fuerzas Voluntarias por entonces en vista de que el Gobierno Revolucionario se presentaba con actitud amenazadora apesar de nuestro gran deseo de paz y armonia. Las ordenes del Gobierno de Washington no han variado. A un tengo autorizacion para repatriar a los voluntarios a fin de que puedan ser licenciados en los Estados Unidos embarcandoles el cualquiera de los buques disponibles que regresan, pero me niego a hacerlo mientras se nos amenaza con el comienzo de los hostilidades. Por los articulos de la capitulacion aun en vigor con Espana, pues hasta ahora no ha habido ratificacion del tratado, estoy obligado a ocupar Manila y sus defensas, pero ningun acto hostil se iniciara por parte de las tropas Estados Unidos.

Suyo muy sinceramente,

E. S. OTIS,
Major-General de Voluntarios,
Gobernador militar de los E. U. en Filipinas.

B.

REPUBLICA FILIPINA RELACION DE LOS SEÑORES REPRESENTANTES DE LA NACION.

[Nombres y apellidos.]

Señores Jose Tuason, Higino Benitez, Graciano Cordero, Juan Nepomuceno, Teodoro Gonzalez Leoncio, Felix Ferrer Pascual, Arsenio Cruz Herrera, Mariano Lopez, Gregorio Aguiñosa (hijo), Jose F. Oliveres, Joaquin Gonzalez, Jose R. Infante, Jose Santiago, Ambrosio Rianzares Bautista, Mariano Crisostomo, Jose Basa, Jose Salamanca, Hugo Ilagan, Ricardo Paras, Sofio Alandy, Vicente Prado, Antonio Filiciano, Joaquin Luna, Vicente Foz, Ignacio Villamor, Juan Marday Gabriel, Gregorio Aglipay, Martin Garcia, Vicente Guzman Pagulayan, Justo Lucban, Tomas Arejola, Salvador Vivencio del Rosario, Marcial Calleja, Joaquin Baltazar, Abelardo Guzman, Aguedo Velarde, Jose Luna, Antonio Luna, Mena Crisologo, Ramundo Alindado, Manuel Ferez Burgos, Pablo Teeson, Isidro Paredes, Hipolito Magsalin, Alberto Baretto, Ceferino de Leon, Fernando Canon, Leo Apacible, Pablo Ocampo, Ariston Bautista, Trinidad P. de Tavera, Esteban de la Rama, Melecio Figuersa, Simplicio del Rosario, Jose M. de la Nina, Javier Gonzalez Salvador, Ariston Gella, Miguel Zaragoza, Lucas Gonzalez Maninang, Mariano V. del Rosario, Felipe Buencamino, Teodoro Sandiko, Tomas G. del Rosario, Leon Guerrero, Jose M. Lerma, Juan Tuason, Jose Albert, Benito Lagaria, Felipe Calderon, Santiago Icasiano, Narciso Hidalgo Resurreccion, Pedro A. Paterno, Mariano Abella, Perfecto Gabriel, Mateo del Rosario, Sebastian de Castro, Basilio Teodoro, Felix Bautista, Vito Benito, Jose Coronel, Jose Alejandrino, Isidoro Torres, Pio del Pilar, Mateo Gutierrez y Valdo, Vicente Somosa, Lorenzo del Rosario, Telesforo Chuidian, Jose Fernandez, Manuel Gomez Martinez, Simon Laurel, Domingo Samson, Patricio Baylon, Arcadio del Rosario, Santiago Barcelona.

[War Department translation.]

MANILA, *January 29, 1899.*

The sixth conference of the commissioners appointed by Major-General Otis and General Aguinaldo was held at 4 p. m. of the above date. The commissioners first took up the reading, amendment, and correction of the minutes of the previous meetings, which were definitely arranged and signed by the two commissions, each retaining two copies, one in English and the other in Spanish, of the minutes of each session.

The commissioners of General Otis then presented to those of General Aguinaldo a letter addressed by the former to General Hughes, which was read, the translation of which is attached to these minutes, marked "Exhibit A."

The commissioners of General Aguinaldo in their turn presented to the American commission a copy of the alleged constitution of the Philippine republic, which they announced had been formed, as well as a list of the delegates of the alleged congress which framed said constitution. Both documents are attached to these minutes marked "Exhibits B" and "C," respectively.

And the commissioners of General Otis and of General Aguinaldo having expressed their views in full during the various conferences held, an announcement was made that there were no more matters to treat of for the present by the commissioners of either party.

The commissioners of General Aguinaldo then stated that it gave them pleasure to acknowledge the great courtesy with which they had been treated by the commissioners of General Otis and which they had endeavored to reciprocate, although regretting that at the various conferences held the positive result which they desired had not been obtained and which would have satisfied the just and legitimate aspirations of the country.

To which the commissioners of General Otis replied that they were reciprocally indebted to the commissioners of General Aguinaldo for their courtesy, calm and deliberate discussion of the various matters treated of in their conferences; that they believed that the real interests of the Philippine people were in substantial harmony with the American interests in these islands, and that the recognition of this fact and a substantial agreement could not be long delayed.

The commission adjourned to meet for the last time on January 31, 1899, at 4 p. m.

FLORENTINO TORRES.
A. FLORES.
MANUEL ARGUELLES.
R. P. HUGHES.
JAMES H. SMITH.
E. H. CROWDER.

I hereby certify that the foregoing is a correct and faithful translation of the respective documents in Spanish, to the best of my knowledge and belief.

FRANK L. JOANNINI,
Official translator Insular Division.

Senator CULBERSON. Before the examination of the witness begins I desire to call attention to the fact that on the 15th of May I offered, and the committee adopted, a resolution that the Secretary of War be, and is hereby, requested to send to the Committee on the Philippines a copy of telegraphic circular No. 1, issued by Brig. Gen. J. F. Bell. The clerk of the committee informs me that so far no reply has been made to this resolution.

The CHAIRMAN. Not to my knowledge.

Senator CULBERSON. I ask the chairman if he has any information in regard to the matter—

The CHAIRMAN. I have no information. I simply sent the resolution of the committee to the Department and I have heard nothing about it. I have made no inquiries.

Senator CULBERSON. Several days ago I suggested to the clerk of the committee that it would be well to call the attention of the Secretary of War to the matter.

The CHAIRMAN. I will do so at once.

TESTIMONY OF FRED M'DONALD.

(Sworn by the chairman).

By the CHAIRMAN:

Q. What is your name?—A. Fred McDonald.

Q. And you have been in the Army of the United States?—A. In the Fifth Massachusetts Infantry, as captain; Twenty-sixth United States Volunteer Infantry, as captain until November 7, when I was placed in command of the First Battalion.

Q. And you were in the Philippine Islands?—A. Yes, sir; I was.

Q. For how long a period?—A. About eighteen to twenty months.

Q. When did you arrive there?—A. In October, 1899.

Q. And you were there about eighteen or twenty months after that?—A. Yes, sir.

Q. You are a resident of Boston?—A. Yes, sir.

Q. And you are engaged in business there?—A. I have always been: I have been engaged in the newspaper business for fifteen years.

Q. Connected with what papers?—A. I have been connected with the Boston Globe as advertising manager. I have been connected with the Boston Post as assistant business manager. I have always lived in Boston. Since my return from the Philippine Islands I have not returned to the newspaper business, however.

Q. The witness O'Brien, who has testified before this committee, has referred to Captain McDonald, and I assume you are the Captain McDonald he has referred to?—A. Probably; being in command of his company.

Senator CULBERSON. What company was that?

The WITNESS. Company M, of the Twenty-sixth Volunteer Infantry.

By the CHAIRMAN:

Q. Corporal O'Brien testified—I asked him if he saw the water administered to the natives, and he said he did. I asked him to state where, and he said at Igbarras; that he did not remember the date. I then asked him:

“Q. Was it administered to the presidente there?—A. Yes, sir.

“Q. That is the case that other witnesses testified to?—A. Yes, sir.”

“Q. Were you present at Igbarras on that day?—A. I was; yes, sir.”

Q. Was Corporal O'Brien there?—A. He was not; no, sir; which can be proven by the monthly returns of Company M, showing that he was then stationed in the town of San Joaquin, some 30 miles away.

Q. Did you see the administration of the water cure yourself?—A. I did; yes, sir.

Q. Did you see other cases of the administration of the water cure?—A. I never saw but one case of the administration of the water cure in the entire time I served in the Philippine Islands. That was the case the chairman referred to.

Q. I should like to ask you whether the town was burned?—A. The greater part of the town was burned that night.

Q. And the witness O'Brien was not there?—A. He was not there; no, sir.

Q. Then he said in his testimony:

“I would like to state something else I have not seen in the papers in relation to the burning of that town. There was a Spanish woman there, a highly educated woman so far as education goes, a graduate of the seminary at Molo, educated by the Sisters there. Her husband was a consumptive. At the burning of the town this woman was violated by the American officers.

“Q. What officers?—A. I do not know their names——

“Q. It is very important to know their names.—A. I don't know that, but——

“Q. You say this woman was violated by the officers but can not give the names of the officers? Who were the officers who were there?—A. Captain Glenn, Lieutenant Conger, and Capt. Fred McDonald, and Dr. —: I can not think of the doctor's name.

“Q. Dr. Lyon?—A. I would not swear to that; I disremember.

“Q. Were those all the officers? Was no officer of your regiment present?—A. Captain McDonald, of my company.

“Q. Was it he?—A. I don't know, sir.

“Q. Then what reason have you to say that they violated this woman?—A. This is what I got from her own husband, that they violated her first, and afterwards she was violated by the enlisted men.”

Do you know anything about that circumstance?—A. No such circumstances as testified to by that witness ever occurred in that town or any other town over which I had command. It is a lie from beginning to end; and I have never known of a Spanish woman or any other woman being violated by an American officer.

Q. If you have looked over the testimony, does it give you any idea to whom he referred?—A. I imagine that he referred to a woman whose husband was the son of the mayor of the town of Igbarras. He was murdered by a ladrone named Montau, who was afterwards hung by the American authorities at the town of Jaro, for this and other crimes. The woman's husband's brother was a cripple for life, having had a bolo inserted in his mouth and his cheeks ripped on both sides to his ears, and one arm chopped off to the wrist by this same band.

Q. This same band of ladrones?—A. Yes, sir. I might state another instance there in connection with this woman's family, if this is the woman referred to by the witness O'Brien. After the murder of the father of her husband the same Montau came into the town of Igbarras,

into the house where the body was in state or lying, dragged it out and fastened a rope to it, tied it to his horse's saddle, and dragged it all over town. This woman naturally had no particular love for the insurgent cause as represented by Montau, a man of his stamp, and gave to Sergeant Davis, of Company M, Twenty-sixth United States Volunteers, several pieces of valuable information relating to the movements of the insurgents. I think that is the woman, Mr. Chairman, that O'Brien referred to.

Q. Then she was a woman friendly to the Americans?—A. Yes, sir; she was.

Q. Was she, within your knowledge, ever maltreated by any officers or men?—A. Never, never, or any other woman. I might add, if the chair please, I would like to state to the committee that I have the records of my company and a great many papers, a whole bag full here, which I would like to put in shape in order to present these things with supporting evidence, one by one, as they occur, and if the committee see fit I think to-morrow, working this afternoon and evening, I will be able to have them all in shape, so I can testify to each question individually in rotation, which will save time to the committee.

By Senator BURROWS:

Q. Have you there the monthly returns proving that O'Brien was not present?—A. I have not, sir; I have a memorandum of books and papers here that I intend to ask the committee to procure for me from the War Department. Among those are the monthly returns.

Q. And that will show that O'Brien was not there?—A. Yes, sir.

By Senator CULBERSON:

Q. Have you examined those recently?—A. I have not examined this monthly report since turning it in, way back in 1901.

Q. Your memory, therefore, as to the contents of that report has not been refreshed recently?—A. Not as to the contents of that report, but by letters received from sergeants of my company since the testimony of O'Brien my memory has been refreshed as to whether he was present, and I know he was not present at all.

Senator DUBOIS. I think the request of the Captain is very reasonable, and that is the easiest way to settle it.

The CHAIRMAN. Certainly. There are a number of other matters we can examine him upon.

Senator CULBERSON. I understood that the suggestion of Captain McDonald was that his testimony be postponed until to-morrow.

The WITNESS. In relation to these affairs referred to, if you want it as a whole.

The CHAIRMAN. I thought there were some subjects that could, perhaps, be gone into with him to-day, and that would save time. I think it may not be improper for me to say that I have a letter from Sergeant Riley, whom the committee will remember as testifying about the water cure administered to the presidente of Igbarras, in which letter he states that O'Brien was not at Igbarras at all.

The WITNESS. I would like to state that I have several letters from Sergeant Riley and Sergeant Partridge and an official communication from Sergeant Conway in relation to this witness O'Brien. I thought we would take this up in regular order.

Senator CULBERSON. The committee, it seems to me, ought to adopt some rule with reference to that. If we are going to admit letters generally, let it be known, and if not let it be known.

The CHAIRMAN. I did not intend to put Sergeant Riley's name in; I merely mention it as confirmatory.

Senator CULBERSON. Your statement goes in.

The CHAIRMAN. I can have it stricken out.

Senator CULBERSON. I do not want it struck out; I simply want a rule which will work both ways.

The CHAIRMAN. I don't know that I know what you mean by a rule that will work both ways.

Senator BEVERIDGE. What is the question?

The CHAIRMAN. The witness stated that he had not examined recently the monthly report that would show whether or not O'Brien was at Igbarras at the time referred to, but that he had letters from Sergeant Riley and Sergeant Partridge stating that he was not; and I then mentioned that I had a letter from Sergeant Riley, who was before the committee, stating the same fact. I am perfectly willing that it be stricken from the record.

The WITNESS. That does not strike out my statement?

The CHAIRMAN. No; of course yours is a sworn statement.

Senator CULBERSON. Do not understand me as objecting. I want the rule understood. If we are going to admit these letters I have no objection, if other letters in reference to subjects in connection with the Philippines shall be admitted.

The CHAIRMAN. I do not think a letter to me ought to be admitted, a personal letter written to me, and I think I ought not to have mentioned it.

Senator CULBERSON. I presume the same rule would apply to Captain McDonald's letter.

The CHAIRMAN. I was going to say I think the witness has a right to submit documents in support of his statement.

Senator CULBERSON. What is the difference in legal effect between a letter written to you and a letter written to the witness? One is just as legal, just as creditable as another.

Senator ALLISON. I want to suggest this to the Senator from Texas: You asked the witness if he had examined these papers, and then you asked him if he had in any way refreshed his recollection, and in answer to your question he said he had not refreshed his recollection from the record, but that he had received letters and statements from other people who were there. Now, we have not asked him to put those in.

Senator CULBERSON. No; but his statement of what they contain is equivalent to putting them in. I make no objection; I simply want the rule to have a general application.

Senator ALLISON. I do not think these letters ought to go in. I think if you question the recollection of a witness he has a right to fortify himself as to why he makes that statement, however.

Senator CULBERSON. Captain McDonald stated that the monthly report, the monthly record of the company, would show that O'Brien was not at Igbarras at the time this water cure was administered. He stated that he has not that report with him, but that he will get it by to-morrow, and then I asked him the natural question, whether or not he had examined that report and refreshed his recollection about its contents, and he said he had not examined the reports since 1900, I believe. Then he volunteered the statement that his recollection of whether or not O'Brien was there had been corroborated by letters received from one of the sergeants of his company.

Senator BEVERIDGE. If anybody desires the letters, and the Captain desires to put them in, they would be competent on another ground. During this investigation we have admitted hearsay testimony where it was pertinent to the question and where the witness could identify the man. Now, he could state what the letters contain even if no letters had been written; I mean he could state the same statements if he could name the men.

The CHAIRMAN. That has been the rule of the committee.

Senator BEVERIDGE. So there is no objection to putting them in.

Senator CULBERSON. No objection has been made to the admission of these letters. I have simply called attention to the fact that when other letters were offered I hoped objection would not be made, and I wanted the rule to apply generally. That is all I care for.

By Senator DUBOIS:

Q. I would like to ask a question in order to be clear myself on one point you have referred to. Is Montau the name?—A. Montau.

Q. It was he and his band who committed these indignities you have referred to?—A. Yes, sir.

Q. You, I believe, said they were ladrones?—A. Yes, sir.

Q. And afterwards you said this woman was friendly to the American cause, and that one reason was because she did not like the treatment she received at the hands of these insurrectionists?—A. I assumed that to be the reason for her friendly attitude.

Q. What I wanted to know was if the ladrones were considered generally to be insurrectos?—A. You wish my opinion in regard to that?

Q. Yes; were they not equally hostile and inimical and dangerous to the Filipinos as to the Americans?—A. I think they were; yea, sir.

Q. You left the impression on my mind that those ladrones were considered insurrectos, from your testimony, and I wanted to know if that was your opinion that the ladrones were classed as insurrectos?—A. I don't quite understand your question.

Q. The insurrectos, as I understand it, were those who were making war on the United States?—A. Yes, sir.

Q. I also understand that the ladrones were bandits making war on anybody?—A. Yes, sir; that is correct.

Q. So that these ladrones under Montau were not insurrectos?—A. Well, they were making war on us when they saw fit, as the insurrectos were. We made no distinction between insurrectos.

Q. Were they not also, as in the case of this man's relatives, making war on these other people?—A. Yes, sir; they were.

Q. So they were the enemy of all mankind. The insurrectos, as I have noticed the difference, represented the armed resistance to the United States; the bandits or ladrones were hostile to anybody or everybody?—A. The meaning of the word "ladrone" in Spanish, as I understand it, is thief. Therefore the ladrones are classified as thieves.

Q. Yes; that is as I understand it. So that these people were not insurrectos; they were thieves, bandits, ladrones?—A. That is correct.

By the CHAIRMAN:

Q. Did not these insurrectos make war upon these Filipinos that would not assist them?—A. They did; yes, sir.

Q. And would the bands of ladrones usually act in harmony with the insurrectos?—A. I have no knowledge of that, sir.

Q. This is something that may not require reference to papers. O'Brien testified that at the time of the marriage of the presidente at San Joaquin Sergeant Conway was in command of the town, and that the presidente gave a reception, and to this reception were invited some ladies from the city of Iloilo. I will read from the testimony:

"They were high above the peasant women, and some of them were full-blooded Spaniards. During the evening they got intoxicated.

"Senator DIETRICH. The women?

"The WITNESS. No; the men. They were Captain McDonald, Lieutenant Plummer, and Major Cook, from Providence, R. I. They disrobed to their undershirts, took off everything except their undershirts and trousers, and put their undershirts outside their trousers and started waltzing around the room and taking the women in their arms; it was most repulsive to the women, as I learned afterwards from their own mouths.

"Senator PATTERSON. Did you see this?

"The WITNESS. Yes; I saw this. Every man in my detachment saw this."

What have you to say to that?—A. My command of the English language, my vocabulary, is not sufficient to express what I would like to in regard to the qualification of that lie. It is a lie from beginning to end. Major Cook, referred to there, was on duty in the town of Jaro, island of Panay. I myself was at the town of Miagao and did not attend that wedding.

Q. Was Lieutenant Plummer in the town?—A. I could not swear in regard to that, sir. I perhaps might state to the committee another little incident which might show my reason for not desiring to go to the wedding.

Q. I understand from you that you and Major Cook were not there at all?—A. No, sir; we were not. Major Cook was at least 60 miles away. It can be proven by record that he was on duty in the town of Jaro.

Q. Go on.—A. I remember when I was first assigned to the command of this district visiting the house of this presidente in the town of San Joaquin. In the morning he insisted upon my having some breakfast at his house. We had eggs and chicken, and immediately after breakfast I was taken sick, very sick; I was sick for three days. I sent the doctor to investigate the case, and after investigation he reported that as other members of the presidente's household were also taken sick from eating food in this man's house he thought it was a case of accidental poisoning; that he did not think the presidente did this deliberately; and upon the doctor's report I dropped the matter. I simply state that to the committee as showing another reason why I should not attend his wedding. Another reason was the fact that this man was contributing to the insurgent cause and that I had evidence of it, and I did not care to be a skeleton at the feast, at the happiest event of his life, probably. I locked him up some time later.

Q. The witness testified in regard to rations. Perhaps that will be covered by the papers you refer to which you wish to refer to in order?—A. I have here the ration returns of my company.

Q. Those are official? A. Those are official, showing the number of men in the company, the amount of rations issued; that is to say, each ration return, which is an official paper, shows the exact amount of articles issued to the company, such as bacon, fresh beef, salmon,

flour, hard bread, beans, rice, potatoes, onions, tomatoes, evaporated apples, peaches, prunes, coffee, sugar, candles, soap, salt, baking powder, and all those things are given in full, and the amounts.

By Senator BEVERIDGE:

Q. How were those purchased and distributed? Was the money forwarded to you for the purchase of supplies, and did you purchase them and issue them?—A. No money is ever forwarded to the captain of a company for the purchase of such things.

Q. The reason I ask the question is that Corporal O'Brien, as I remember the testimony, stated that the money for the purchase of those articles was put in your hands and the supplies were not forthcoming.—A. The captain of a company never handles the money or the articles purchased by the commissary.

Q. So that you would not have had the opportunity to appropriate that money, if you had so desired?—A. Certainly not. All rations are drawn on a ration blank, such as I have in my hand, which is an application to the captain of the company. This shows that on such and such date so many men were in his company——

Q. Then that is not an instance of comparative credibility between O'Brien as a witness and what you have testified to; it is a case of O'Brien testifying to something that is impossible!—A. Yea, sir.

By the CHAIRMAN:

Q. He makes this statement:

"We never saw any bread but twice, and then it was not fit to eat. That was in seventeen months. That bread was sold—I would not swear to this, this is hearsay——"

A. As I have stated to the committee, I can not find words strong enough to express my opinion of the witness who preceded me—O'Brien.

By Senator BEVERIDGE:

Q. No bread was sold?—A. No bread was sold; no, sir.

Q. And they had bread oftener than twice in seventeen months!—

A. They had bread every day in the week that we could bake it; that is to say, when we were stationed at the city of Iloilo the commissary sergeant of my company exchanged 100 pounds of flour for 100 pounds of bread, weighing 1 pound each. That was while we were stationed at the city of Iloilo. When we were sent into the field we drew hard bread, which the ration returns of the company will show. When we went into quarters at the town of Miagao we had issued to us stoves and ovens. We then baked bread and had it every day in the week after the oven was issued to us—something like a little over a year.

In the detachment in which Corporal O'Brien was stationed they had no oven. They drew hard bread in place of the fresh bread which is laid down in the regulations. Whenever a wagon train went from our stations to San Joaquin, where O'Brien was stationed, fresh bread was sent to them at that place. This occurred at least once in every six or seven days.

The CHAIRMAN. On that matter of rations—I don't know whether you care to put in any of these official papers or not——

Senator BEVERIDGE. I think they would be very illuminative.

Senator ALLISON. To put in one as a specimen?

Senator BEVERIDGE. Yes; showing the bread and beans and meat and fresh meat.

The WITNESS. I will do that. I have also here records showing the prisoners. I understand that O'Brien has testified that we never had any prisoners; I have the returns showing the native prisoners.

Senator BEVERIDGE. That will come in later.

By the CHAIRMAN:

Q. The witness said: "There was a price on Captain McDonald's head there. That was a generally known fact."

[Reading from record:]

"Q. Who put the price on it?—A. The insurgents; he never dared to go without a detachment.

"Q. Was not that true of other officers at Iloilo; was not there a price set upon the head of nearly every American officer?

The WITNESS. I don't know sir. I know positively there was a price set upon Captain McDonald's head."

A. I never heard of any price on my head. I imagine that the insurgents would shoot any officer of the American Army, as I would shoot any officer of the insurgent army, if he would not surrender. As far as any price being put on my head is concerned, that is entirely false as far as I know; I never heard of it. I have traveled over the roads alone at midnight from one station to the other and back, which can be proven by my sergeants. I have taken one or two men, going from station to station. I have never had the least fear of any of the natives in any of my stations, or on the roads between them. They seemed perfectly satisfied with the American administration, and professed friendship and all that sort of thing.

Q. (Reading from record:)

"Senator ALLISON. Do you know what it was?"

That is referring to the price he says was set upon your head.

"The WITNESS. No, sir.

"By Senator PATTERSON:

"Q. Do you know why?—A. For his cruelty and seeming barbarity.

"Q. Did you ever witness anything to justify a statement of that kind?—A. No, sir; except in the case of Tubernan, topographical officer of the insurgents. He surrendered to Captain Gregg at Leon. He came to San Joaquin. The alceda, who was his cousin, and I received orders from General Hughes through Captain McDonald to put this Tubernan under arrest. I secured him and put him under arrest. He had a wife who was in confinement at the time, and I interceded for him and got the priest to intercede and some of the officials of the town to intercede for him and have him paroled. He was paroled. Captain McDonald came to the town one day. I suppose he had orders to take Tubernan to Miagao. Tubernan did not move fast enough for him, and I saw Captain McDonald hit him over the head with the butt of his revolver.

"Captain McDonald is a highly educated man; he speaks several languages; he was an engineer; and after the oath of allegiance was administered—I know this for a positive fact, because I administered the oath of allegiance to him myself—this man was given the water cure at Leon. I got that from his own lips."

What have you to say in regard to that?—A. He has lied in regard

to that, as he has in every other part of his testimony. He had, in the first place, no right, as an enlisted man, to give the oath of allegiance to any prisoner. That is a part of the duties of a commissioned officer, a record of which is kept. In the second place, I never took that man from San Joaquin to Miagao, or any other prisoner, so far as I can remember. I never struck a prisoner over the head with my revolver in my life. If he did not do as ordered, I would have shot him instead of striking him.

Q. And was the man given the water cure within your knowledge?—

A. No, sir; I never heard of but one case of water cure, as I have already testified, in the whole Philippine Islands. The one case I heard of was the case at the town of Igbaras, and the results of that were remarkable so far as the benefit to the American troops was concerned.

Senator BEVERIDGE. You have already testified to that?

The WITNESS. Yes, sir.

The CHAIRMAN. Yes, he has testified to that.

Senator ALLISON. In the eighteen months you were there you say you never saw but one case of water cure?

The WITNESS. I never saw or heard of but one case.

Senator DUBOIS. You never heard of any other place outside of the command you were connected with?

The WITNESS. No, sir.

By the CHAIRMAN:

Q. I will read further from the testimony of the witness O'Brien:

By the CHAIRMAN:

Q. Did you see it?—A. No, sir.

Q. You did not see that?—A. No; but I know I had given the oath of allegiance to him, and he left the town with Captain McDonald, and he was taken to Leon and there given the water cure after the oath had been administered.

Senator PATTERSON. What do you base that statement on—that he was given the water cure?

The WITNESS. He showed me sores on his arms where he had been bound—they had not yet healed; and he described the sensation to me.

Senator CARMACK. For what did they give him the water cure?

The WITNESS. To try to make him confess, I suppose. I would not say, because I do not know.

What have you to say to that?—A. I was not in command of the town of Leon that he testified to. That was in another district.

By Senator DUBOIS:

Q. You never heard of any discussion of the water cure?—A. Yes; I have heard a great many discussions about the water cure, particularly since the committee has been in session here.

Q. You never heard of it before that?—A. And I heard it discussed on the boat coming over.

Q. Did you hear it before that?—A. Yes, sir; I heard it discussed in the town of Miagao.

Q. Other cases than this one at Igbaras, you discussed other cases in addition to this one at Igbaras?—A. No, sir; this case at Igbaras was discussed.

Q. That is the only one you ever heard discussed by anybody?—A. Before leaving the Philippines; yes, sir.

Q. So far as you heard or knew there never was but one case of water cure over there, and that was the one at Igbaras?—A. So far as I knew; yes, sir. My men had explicit orders to treat natives with

the greatest care; to be more than particular. I will show the committee to-morrow an order issued in relation to it; an official document. I was very careful to treat all prisoners with kindness. I might illustrate, if I am not taking up the committee's time.

The CHAIRMAN. We will be glad to hear you.

A. (Continued.) A case of an insurgent officer whose picture I have here. He was the commanding officer of the insurgent forces where I was in command of the American forces. His name was Clavira. His wife was sick in one of my towns, some 10 miles away from my station. I was informed of that fact, and I sent my doctor with orders for him to go to the town of Guimbal and treat the wife of this insurgent officer. He, you understand, was in active operation against the American troops. He did so, and while he was unable to do much for the woman he called on her twice. My sergeant and hospital steward at that station kept track of the case, and the woman eventually recovered.

We have any number of times taken sick insurgent prisoners to our hospital; we have treated the native police when they have been wounded. The cases of kindness by men under my command and by other officers were too numerous to mention.

The CHAIRMAN. That inscription on the back of this photograph that you showed me is to the effect that he gave it to you?

The WITNESS. Yes; and I received photographs from other insurgent officers. Here is a photograph of another insurgent officer who commanded a column. He went away out of his way to surrender to our station, when he had been ordered to proceed to Jaro, for the reason that he believed the officers and troops in my district were very, very fair and always treated his troops with kindness. All these officers called on us later and thanked us for different kindnesses we had shown their men.

By Senator BEVERIDGE:

Q. On that point, Captain, what was the general and ordinary course of conduct of the American officers and soldiers toward the people themselves who were not prisoners and the people peaceably at work in their fields and homes, as to kindness and consideration?—

A. More like father and children; we always treated them with extreme kindness.

Q. And the soldiers?—A. And the soldiers the same way.

Q. What orders did the soldiers have as to their treatment of the people?—A. To treat them exactly as they would citizens or natives at home. If a peaceable native was interfered with in his occupation in any way the case was investigated and the soldier who offended was put in the guardhouse; he was punished.

Q. Speaking of native prisoners, what was the treatment the prisoners you observed received at the hands of the American officers and men?—A. Exactly the same treatment that any prisoners would receive. They received, for instance, the same food that our soldiers received.

Q. If they were sick or wounded?—A. If they were sick or wounded they were sent to the hospitals and treated in the hospitals.

Q. By what physicians?—A. The American physicians.

Q. And if nursed, by what nurses?—A. By American Hospital Corps men.

Q. Now, on the point of rations. I hold in my hand——

The CHAIRMAN. We shall come back to rations.

Senator BEVERIDGE. Very well.

The CHAIRMAN. He will have some other papers to put in in reference to rations.

By the CHAIRMAN:

Q. Were you at the barrio of La Nog when it was attacked?—A. I was; yes, sir.

Q. The witness stated it was on the 27th of September, 1899. He said:

“We entered the town. It was just daybreak. The first thing we saw was a boy coming down on a carabao, and the first sergeant, William Stahlburg, shot at the boy. I don't know whether he intended to kill him or not. I know he didn't hit him. The boy jumped off the carabao and fled.”

Then he describes that they all fired at him. Continuing, he says:

That brought the people in the houses out, brought them to the doors and out into the street, and how the order started and who gave it I don't know, but the town was fired on. I saw an old fellow come to the door and he looked out; he got shot in the abdomen and fell to his knees and turned around and died. * * *

“After that two old men came out hand in hand. I should think they were over 50 years old; probably between 50 and 70 years old. They had a white flag. They were shot down. At the other end of the town we heard screams, and there was a woman there; she was burned up, and in her arms was a baby, and on the floor was another child. The baby was at her breast, the one in her arms; and the child on the floor was, I should judge, about three years of age. They were burned. Whether she was demoralized or driven insane I don't know. She stayed in the house.

“The CHAIRMAN. What troops were those?

“The WITNESS. M Company, the Twenty-sixth.”

Have you anything to say in regard to that?—A. I will state, in the first place, as in regard to the other statements of the witness O'Brien, that it is absolutely false. I never heard of any such thing as a man with a white flag being shot down.

That would be the last thing in the world an American officer would attempt to do. In reference to the barrio of La Nog, the barrio itself was a stronghold and had been known as a stronghold of the ladrones for a great many years, even before the occupation by the American troops of the islands. The Spanish soldiers never had been able to get up to that barrio. It was located in a very strong place; it was on the top of a hill, so that troops approaching could be seen in all directions. It had a large stockade built all around it, 10 feet high, with gates to enter through. My attention was called to that town. I had heard of it from the time of my entry into the district, and that these ladrones had occupied this place, and so forth, and so on. I determined to clean that place out.

We started one morning about 2 o'clock in the morning, and arrived at daybreak. I sent the first sergeant of one platoon to try to get around on the other side of the village. Before he could do so he was discovered and fired on. The firing then became general. We took the town. We were in the town at least two hours when notice was sent out that the town was to be burned and for the inhabitants to

get out. The men had all fled. There were some women and children left in the town. It was burned. That is all there was to it.

Q. Did you hear of any women and children being burned?—A. I never heard of such a thing; no such report was made to me; I never heard of a woman or a child being burned.

Q. They had ample opportunity to get out before the town was fired?—A. Yes, sir.

Q. And notice was given?—A. Notice was given.

Senator BEVERIDGE. Were any orders given in that attack, Captain, to shoot everybody and spare no one?

The WITNESS. I never heard of such an order, until I read the testimony of the witness O'Brien before this committee, in my whole experience in the Philippine Islands. I never heard of such an order as to take no prisoners; we always took prisoners when we could.

Senator ALLISON. I would like to know about this firing on the boy; somebody shot at the boy, and then everybody shot at him?

The CHAIRMAN. Yes; I will read from the record:

“By Senator BEVERIDGE:

“Q. You say the boy was on a carabao?—A. Yes, sir.

“Q. And then he jumped off?—A. Yes, sir; that was a sort of a silent signal for a volley. Everybody fired at him.

“Q. At the boy?—A. Yes sir.

“By the CHAIRMAN:

“Q. I don't suppose you fired?—A. Yes, sir; I did. I am supposed to obey.

“Q. Were you ordered to fire?—A. No, sir.

“By Senator BEVERIDGE:

“Q. What did you fire for, then?—A. I can not tell. A man fires when he is in those places.

“Q. Did the sergeant tell you why he fired?—A. No, sir.

“Q. He offered no explanation?—A. No, sir.

“Senator ALLISON. How many shots hit him?

“The WITNESS. He was not hit at all.

“By Senator BEVERIDGE:

“Q. How far away was he?—A. I should judge 1,500 yards.”

The WITNESS. I think my company would have been given rifle practice many hours a day if I had had any such marksmen as that. The majority of the men before they came to me were good shots. My sergeants were nearly all regular sergeants and had been for years before joining my company.

By Senator BURROWS:

Q. What do you say about that incident that O'Brien relates?—A. I didn't see it at all.

Q. Did you ever hear of it?—A. No, sir.

The CHAIRMAN. You never heard of an order to take no prisoners?

The WITNESS. I never heard of any such order.

The CHAIRMAN. O'Brien testified: “In regard to that order being issued, as we would go along in Indian file, the word would pass along, ‘take no prisoners.’ * * * It would start at the head of the line and come down.”

By Senator ALLISON:

Q. You never had any such order as that?—A. No, sir.

Q. And never delivered such an order?—A. No, sir; and the records of the company will show prisoners from the time we went to the Philippine Islands until we returned home. The ration return will show the rations drawn for the prisoners.

The CHAIRMAN. You know nothing about the killing of these three old men?—A. No, sir.

I would like right there, Mr. Chairman, to call attention, in relation to the prisoners, to the testimony of one of the other sergeants of the company before this committee. I refer to the testimony of Corp. Lewis Smith, which will be found on page 1541 of this document, "Affairs in the Philippine Islands." I will read from the testimony:

"By Senator BEVERIDGE:

"Q. So far as you observed they had the same treatment that our soldiers had?—A. Yes, sir.

"Q. The same food and medical attendance?—A. Yes, sir; they were taken to the hospitals. I have taken them there myself, and I have given them medicine.

"Q. So that the Filipino prisoners had the same food and the same medicine and the same attendance, so far as you observed, that our soldiers had?—A. They did not have the same rations; they were provided by the Government, but they were not the same rations that we had."

I introduce that to show that Smith, who was in the same company with O'Brien, saw 40 or 50 prisoners under O'Brien's nose, and O'Brien testified he never saw a prisoner.

By Senator BEVERIDGE:

Q. About the provisions being the same, the witness goes on to say that they were rations that the natives preferred, such as rice, and such things as they were used to.—A. I would like to explain that when we first arrived in the Philippines in the taking of prisoners we issued to the prisoners the same rations that the American soldiers were eating. That is, if we had 100 men in our company and took 10 prisoners, we would issue rations for 110, so that the prisoners received exactly the same food that the American soldiers received. It was found, however, that the native prisoners could not eat the food as prepared by us; that they preferred rice and things they were accustomed to. To illustrate fully: Cooking fish, we would bake it and we found that the Filipino likes it raw—pickled; and so our baking it ruined it for his taste. So a general order was issued from Manila, stating what the components of the ration should consist of for Filipino prisoners, and it was really just what they wanted, rice and food that they were accustomed to.

Q. Fish in the way they liked it?—A. Yes, sir.

Q. You served it up according to their tastes?—A. Well, we did when possible.

The CHAIRMAN. The witness O'Brien referred to the case of the execution of Pedro Gargenaro. What is that case?

The WITNESS. That is a case I want to go into fully to-morrow, with the copies of the court records. I have a letter here with reference to this Corporal O'Brien—an official communication from the sergeant of my company.

By Senator DUBOIS:

Q. Official and contemporary?—A. Yes, sir.

Q. I would like to ask a few questions in line with what I understand to be the course of the examination by the chairman. What sort of a soldier was O'Brien?—A. I will reply by reading this letter.

Q. You might give your statement first and then fortify it by any letter you may have.—A. O'Brien was a soldier in my company who had trouble from the time he joined the company until the time he got through, not only with the commissioned officers, but all of the non-commissioned officers. My attention was first called to him on the troop train on our way to San Francisco.

The regiment was on the way to San Francisco, and the train stopped at a small station and the men were allowed to disembark and, under noncommissioned officers, take some exercise. They had been on the train for two or three days and they needed exercise. There was a little store at this station where we stopped and the battalion, consisting of four or five hundred men, tried to buy food in this store at once. The storekeeper was a little Western fellow, and when these two or three hundred men rushed into the store they upset him and he was unable to tell anything. The men borrowed things from him—I do not like to say that they took them otherwise—and some left money to pay for them and some did not.

Anyway, the man made a complaint, and we inquired how much stuff the men had taken, and he said some six or seven dollars' worth, and we paid him out of our own pockets and then started an investigation. I found that this man O'Brien had a squad for which he was responsible and that he had gone into that store. I jacked him up very hard and told him that United States troops did not do anything like that, and if I heard of anything more like that I would hold him responsible and not the men under him. He thought he would not like to be a corporal. I said, "You have been appointed a corporal, and I propose to keep you a corporal and see that you do your duty."

A number of things like that were reported by my noncommissioned officers about O'Brien, so that he was up on the carpet nearly all the time on our way to the Philippines. When we arrived in the Philippine Islands, one day a Chinaman came rushing into the barracks and reported that some soldiers had entered his place that morning and eaten two dollars and some cents worth of food and had refused to pay him for it. I sent for the first sergeant. I asked the Chinaman if he could identify the men who had done it. I asked the first sergeant what patrols were out that morning and he told me, and among others was that of Corporal O'Brien, with four or five men.

I said to the first sergeant: "Send forty or fifty men in here and see if the Chinaman can identify any of them." The men filed in and the Chinaman went directly to O'Brien and said: "This was the man who stole this breakfast." I asked O'Brien about it and he said he had had breakfast there. I asked him why he had not paid him, and he said he didn't know; that he had his breakfast and that was all there was to it. I put him under arrest; he was in arrest as the records will show.

Q. Have you those records? A. No.

The CHAIRMAN. You will get those at the War Department.

Senator BEVERIDGE. Please bring those up to-morrow.

The WITNESS. Then I would like to read the committee the letter

from Sergeant Conway. It is dated San Joaquin, Panay, November 1, 1900. It is as follows:

SAN JOAQUIN, PANAY, P. I., *November 1, 1900.*

The COMMANDING OFFICER, COMPANY M,
Twenty-sixth United States Volunteer Infantry,
Miagao, Panay, P. I.

SIR: I have the honor to report to you that Corporal O'Brien is falling back into his old insubordinate spirit and causing considerable trouble. Talking to and threatening by me does no good, and as I have no way or means to discipline noncommissioned officers I request that he be relieved from here.

He is continually criticising his superior's actions, and breeding insubordination among the men, telling them he would not submit to such and such if he was them.

I also request, sir, that at your convenience you ask him what he meant by certain hints about the men not receiving all that is due them in the line of beef allowance, and that Sergeant Riley and myself were making a good thing of it.

I have told him a number of times to cease his talking to the men and kicking, and to report to you anything that was not fair, open, and above board.

Very respectfully, your obedient servant,

MATHEW J. CONWAY,
Sergeant, Company M, Twenty-sixth United States Volunteers.

I might go on and enumerate to the committee numerous instances about O'Brien.

By Senator BEVERIDGE:

Q. You entertained no personal animosity toward O'Brien save your disapproval as an officer of his insubordination as a soldier?—

A. I helped him out in a great many little cases, showing a friendly spirit.

Q. Upon your part there is no personal animosity which would have made you feel any animosity toward him aside from this question of his insubordination?—A. None whatever. A captain of a company of a hundred men has no time to single out any one individual private in his company.

His time is taken up with civil affairs and the running of his company, and when a private has appeared before me when I was on a court-martial and said his captain and first sergeant were hounding him, I always made up my mind that something was the matter with that man, with that private; no captain has the time to follow up any one individual man.

The CHAIRMAN. We will continue to-morrow.

(Thereupon, at 11.55, the committee adjourned until to-morrow, Tuesday, May 27, at 10.30 o'clock a. m.)

WASHINGTON, D. C., *Tuesday, May 27, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman and Senators Allison, Beveridge, McComas, Strick, Rawlins, Culberson, and Dubois.

The CHAIRMAN. I have here a telegram from Manila which I wish insert in the record.

[Cablegram.]

MANILA, *May 23, 1902.*

PRESIDENT SENATE, *Washington:*

American Miners' Association protest against Lodge mining bill; ask American laws.

EARLY, *President.*

TESTIMONY OF FRED M'DONALD—Continued.

The CHAIRMAN. Now, Captain McDonald, you will kindly continue.

The WITNESS. I do not know whether the Chair wished to take up fact first that this man O'Brien, as testified to yesterday by me, was not at the town of Igharas at the time he testified he was, and that he had this conversation with the husband of the woman he claimed was outraged.

The CHAIRMAN. I think you had better put that evidence in, if it is official.

The WITNESS. I will cite first the official telegram notifying the regimental commander that the town of Igharas was burned [reading]:

MIAGAO, *November 29, 1900.*

Captain PENDLETON, A. A. A. G., *Jaro:*

I have the honor to inform you that the town of Igharas was destroyed by fire on the night of November 27 by order of Capt. Edwin T. Glenn. The quarters occupied by the troops, the church, and a few houses, are all that remain of the town. The presidente, the padre, the vice-presidente, the secretary, and captain of police were taken to Iloilo by Captain Glenn. All of the policemen of the town are held prisoners of war and are in confinement at Miagao.

MCDONALD.

The WITNESS. That is the official telegram notifying the regimental commander that the town of Igharas was burned on the night of November 27. Now I would respectfully refer this committee to the official records of Corporal O'Brien, as recorded in his muster-out papers:

Went on detached service at San Joaquin, P. I., from July 29, 1900, to February 26, 1901.

The rest of his record I will omit. That shows where he was on the night.

By Senator ALLISON:

Q. Where was he at that time?—A. On detached service at San Joaquin from July 29, 1900, to February 26, 1901, showing distinctly that he was in the town of San Joaquin on the night of November 27, when he testifies before this committee that he was in the town of Igharas, and that certain officers, whom he specifies by name, outraged a native woman. I think, Mr. Chairman, that clearly proves that the man has lied in regard to his testimony, as far as this particular point goes.

Q. How far is Igharas from San Joaquin?—A. It is at least 30 miles.

over the road, over the mountains, and it would take at least a day to get there with very hard marching at that.

Now, Mr. Chairman, I would like to take up the testimony of O'Brien, as found on page 2583 of the record. I will read:

Q. You gave instances for ranking Captain McDonald as a thief—

This is by Senator Beveridge—

A. This is one of them. The money was forwarded to Captain McDonald from Iloilo to purchase supplies.

Q. And the food was not purchased?—A. No, sir.

Q. That connects Captain McDonald. Any other instances you can think of now?—A. Yes. On one occasion we were to have a Thanksgiving dinner on supplies bought with the company fund. We had a fund from the canteen—that was before the canteen was abolished. We saw nothing of this fund at all.

Q. Who had charge of that fund?—A. It was supposed to be under the charge of a company council, but we knew nothing of a company council.

Q. Who had charge of that fund?—A. Captain McDonald.

Q. Who contributed to this fund?—A. I do not know.

Q. And Captain McDonald had it?—A. Yes, sir.

Q. And he never spent it for your benefit?—A. No, sir.

Q. That is specific. Any other instances?—A. Another instance that the fund was not used properly was when we were in Iloilo, where everything was obtainable from turkeys down to toothpicks. We were to have a dinner there from that fund but when it was served up all we got was some caribao slum for our dinner.

Q. These are the two specifications to support your statement that Captain McDonald is a thief?—A. There was general dissension. There was dissension among Sergeant Conway, Sergeant Benthein, Sergeant Partridge, and Sergeant Riley. Those men—some of them—were what is commonly termed "dog robber."

I shall not continue this testimony; it is on record. He refers there to Sergeant Partridge. I would like to quote, if the Chair permit it, a letter from Sergeant Partridge, written upon his reading in the newspaper what O'Brien had testified to before this committee.

By the CHAIRMAN:

Q. Is Sergeant Partridge in this country?—A. Yes, sir.

Q. And can be summoned?—A. Yes, sir.

The CHAIRMAN. We will summon him. This letter need not go into the record.

The WITNESS. Now, I would like to explain to the committee from records here before me—

The CHAIRMAN. These records are furnished you by the War Department?

The WITNESS. Furnished by the War Department and certified to by Secretary Root, Secretary of War.

The funds of the company consist of the savings of rations or profits as may be derived from the canteen. Those are the sources of income to the company funds. Now, we will take to illustrate how the company's funds books are kept the one audited on May 12, 1901. This is the most complete record in my company, for the reason that I had retained the vouchers showing what the money was expended for on this particular record and had not done so on all the others.

Senator RAWLINS. What does this record cover?

The WITNESS. This is a quarterly record; it included May. The one previous to that was audited March 31. This will be April, May, and June.

Senator RAWLINS. 1901?

The WITNESS. 1901; yes, sir. All of the other quarterly audits is practically the same. I only submit this particular one for the re-

son that I brought the vouchers showing what each one was expended for and the receipts from commissary-sergeants, etc. The company council funds starts with a heading:

Capt. Fred McDonald, in account with fund of Company M, Twenty-sixth Infantry, U. S. V.

On the left-hand page it shows how the money is received; on the right-hand page how expended. The page referred to under date of May 1, 1900, shows a balance on hand April 30, 1901, of \$124.54. The committee understands I am quoting how this money is received:

May 7, savings of rations.....	\$5. 10
May 11, savings of rations.....	8. 50

On the right-hand page, showing how the money in the company is expended —

May 1, voucher No. 8, calls for groceries purchased, \$31.50.

Referring to vouchers, voucher No. 8, as called for by this entry, shows that groceries were purchased from Irvine Brothers, San Francisco, Cal., April 29, 1901:

SAN FRANCISCO, April 29, 1901.

Irvine Brothers sold to Company M, Twenty-sixth.

Apr. 22. Sweet potatoes, \$1.50; 100 cabbages, \$1.25.....	\$2. 75
Apr. 23. Sweet potatoes, \$1.50; carrots, \$1.25; 25 R. oats, 85 cents.....	3. 00
100 cabbages, \$1.25; keg pickles, \$1; 15 B. turnips, 75 cents.....	3. 00
Apr. 24. 100 cabbages, \$1.25; 10 raisins, \$1; 25 R. oats, 85 cents.....	3. 10
Apr. 25. 30 halibut, \$2.10; 30 B. turnips, \$1.50; carrots, \$1.50.....	5. 10
1/8 pickles, \$2; sweet potatoes, \$1.50; 80 cabbages, \$1.....	4. 50
Apr. 26. 1/8 sauerkraut, \$1; 12 Frankfurters, \$1.45.....	2. 45
100 cabbages, \$1.25; 30 B. turnips, \$1.50.....	2. 75
Apr. 27. 100 cabbages, \$1.25; 30 B. turnips, \$1.50.....	2. 75
Sweet potatoes.....	1. 50
Total.....	31. 50

May 1, 1901, received in full, \$31.50.

FRED M. HOLLIS.

The CHAIRMAN. I think that is enough for an illustration. That is a final account, is it?

The WITNESS. Yes, sir; a final account of the company.

Q. Were those company accounts audited every quarter?—A. By an order which I will read:

Order, No. 7.] COMPANY M, TWENTY-SIXTH INFANTRY U. S. V.,
Presidio, San Francisco, Cal., May 12, 1901.

The company council is hereby ordered to convene at 2 p. m. to-day to audit the company's common fund account. Detail, First Lieut. William H. Plummer, Second Lieut. John T. Ryan.

WILLIAM H. PLUMMER,
First Lieutenant, Twenty-Sixth Infantry U. S. V., Commanding Company M.

Pursuant to the above order the council met at 2 o'clock p. m., May 12, 1901. Present, all the members.

The council proceeded to audit the company fund and vouchers and found them to be correct; no cash remaining on hand.

WILLIAM H. PLUMMER,
First Lieutenant Company M, Twenty-sixth Infantry United States Volunteers.
JOHN T. RYAN,
Second Lieutenant Company M, Twenty-sixth Infantry United States Volunteers.

That shows that the total company fund was expended for the benefit of the company for luxuries and so forth at the final muster out of the company.

The CHAIRMAN. During your service in the Philippine Islands similar accounts to that were presented to you every quarter and audited throughout the entire service?

The WITNESS (continuing). Which I have here in my hand, the company fund was audited. I object most strongly to being called a thief.

Senator BEVERIDGE. It is fortunate that you had the specifications of O'Brien instead of a general statement.

The WITNESS. If the committee desires anything further on this company fund business, or any other information I can give to the committee, I shall be very glad to do it.

The CHAIRMAN. I think we understand it.

The WITNESS. These accounts show where every cent that comes into the company is expended, where it comes from, and where it goes to.

The CHAIRMAN. You may continue.

The WITNESS. Before I leave this question of rations, I want to call the committee's attention to a statement by O'Brien on page 2582. I will read from the testimony. This examination to be found on page 2582 of the record is being conducted by Senator Beveridge:

Q. You stated the other day that you ranked Captain McDonald as a thief.—A. Not positively. I said I had no proof.

Q. Is this the basis for which you rank him as a thief?—A. There are other things. When we first came from Guimbal we were situated in a stone building furnished by the presidente, and we had salmon for nine consecutive days and hard bread and coffee. Our lieutenant, Lieutenant Monogan, afterwards assigned to L Company of the Sixth Infantry, was with us at that time. He would send in for his meal to Downey, the cook. Downey would treat him to a whole can of salmon. He would look at it and turn up his nose, and then ask Downey if that was all he had. Downey would say yes. Then the lieutenant would ask if he could not get him a chicken. Downey would say he had none. "Can't you find some?" the lieutenant would ask. These are not the exact words used in the conversation, but I am giving the sense of that which took place. Downey would tell him he had no money to buy chicken.

The lieutenant would usually jump on his horse and ride down to Guimbal, a distance of 4 to 8 miles. There he would call upon one of the leading inhabitants of the town—a man of some means—for his meals. He kept that up for a number of days until Private Bertchey, of the Hospital Corps, was sent one day to Guimbal. He spoke Spanish very fluently, and he went and told this party that he could charge Monogan for his meals; that he was taking advantage of his hospitality. The officers made it a regular stopping place. Other officers stopped there and depended on this man. The man had some very beautiful daughters, and I do not know whether they or the meals were the attraction. So we just lived on that way. There was nothing for us but salmon.

I want to stamp that as being a cowardly attack on an officer who is to-day serving in the Philippine Islands among the native scouts, having been left behind by the regiment at his own request, a man who has served through the Cuban campaign, who was wounded at El Caney, an honorable gentleman and an officer. I do not believe that any such statement as is here made by O'Brien should be even recorded; it is too absurd. I personally served with him for at least a year and always found him a true gentleman in every sense of the word.

By Senator BEVERIDGE:

Q. You observed also that O'Brien attempted to besmirch him by a gratuitous reference to the daughters of the man referred to? I called his attention to that in the next question.—A. I remember the man referred to there. His name was Garbino. He was very friendly.

with the Americans and gave a great deal of information. I don't think he ever had a daughter. I visited his house at least 15 or 20 times during my visits or monthly inspection at the town of Guimbal, and I never saw a daughter or a woman referred to as his daughter. I do not think the man had a daughter.

Another thing, he referred to a private named Birchy, of the Hospital Corps, going to Guimbal and telling Garbino that he should charge Monohan for his meat. I think this Birchy was very friendly with the witness O'Brien. The records of Birchy do not look well at all. He was tried for assaulting a Filipino boy at the town of Igbaras, striking him over the head with his revolver, kicking him while he lay on the ground, for the simple reason that his horse had run away and he yelled to this native boy to stop his horse. The native boy did not understand English and therefore did not stop his horse. First he was tried by general court-martial in Iloilo, Panay, and sentenced to six months' confinement, and I think the loss of \$5 or \$10 pay per month. I only introduced this to show the treatment of the Filipinos by the officers of the detachments. The moment that case was reported Birchy was put in arrest. Later charges were preferred against him, and he was tried in the city of Iloilo.

Q. Did you refer yesterday to having the records in the trial of men charged with men having cut off the heads of somebody down there? A. Yes, sir.

The CHAIRMAN. I asked you about that and you said you would have the record here to-day and go into the case. Will you kindly state it.

The WITNESS. I will cover the case of Pedro Garganera, which I think took something like four weeks to decide.

By Senator BEVERIDGE:

Q. First of all, before you begin that, so we may have a connected narrative, who was this man?—A. Pedro Garganera was a noted bandit.

Q. How long had he been such?—A. During the Spanish reign in the Philippine Islands.

Q. Long prior, then, to American occupation?—A. As far as I know. Such was the report made to me upon occupation of the town of Guimbal.

Q. And as a bandit what did he do with reference to the people?—A. I will state what I personally observed. On, I think, about December 22, 1899, I received an order from Major Anderson, commanding Augustine Barracks, Iloilo, Panay, to take one company and proceed to the town of Guimbal, where the natives had reported there was trouble, to investigate it, and return, if possible, within three days. I started with my company, made a forced march, and reached the town of Guimbal at night, about 10 o'clock. I found drawn up there in the public square about 200 or 250 natives armed with all sorts of weapons, ready for an expected attack on the town of Guimbal. I conferred with the mayor of the town, stated that I would be responsible for the safety of the town that night, ordered all the natives off of the street, and told them to go to their homes and not to go out until daylight.

The following morning I made an investigation and found that this Pedro Garganera, three days before, led into the town of Guimbal a band of about 60 ladrones, or insurgents (I have some doubt which

they were), had demanded that the town give to him something like 2,000 pesos, and on its refusal he had taken the presidente, shot him in the square, had himself (Garganera) gone into a schoolroom of the town, where there was something like forty or fifty children, had selected the son of the mayor of the town, had himself (Garganera) struck the child on the left arm with his bolo, cutting his arm off at the shoulder, and while the child lay screaming on the floor had slashed him again, disemboweling the child, and, not satisfied with that, he had picked up the little body and thrown it up against the schoolroom wall, where I personally myself saw the blood marks. Learning this story from the natives, and the fact that he had ordered that the presidente, who was shot, should be taken to a well and thrown into the well, and that stones be thrown on him so that he might die a lingering death, that the other son, a man about 18 years of age, whom I have myself talked with, be taken up to the public square, tied to a post and the arteries in his legs cut, which was done. Learning these facts, I immediately said to the then acting mayor that I wanted this man Garganera: that we would try him; that Americans did not propose that such crimes as this would be tolerated for one single instant, or words to that effect.

My orders were to return to Iloilo, and I had to leave the town without any protection and return to Iloilo. Upon arriving there I reported the matter to my regimental commander, who, in turn, reported it to General Hughes, who, the following day, sent for me to appear before him. I did so, and reported to General Hughes the facts as stated to this committee. General Hughes ordered that I proceed immediately back to Guimbal with sufficient men to protect that town, and stated that the quartermaster's department would furnish transportation for the balance of my company within a day or so. I returned to Guimbal on a steam launch within two hours or three hours after holding a conversation with General Hughes, and found a detachment of Company L of the Twenty-sixth Infantry, commanded by a sergeant, at the town of Guimbal. This company was stationed in the town of Leon, and in one of its scouting expeditions had swung around into the town of Guimbal and there had found a larger part of the population of Guimbal in the public square about to execute the man Pedro Garganera. The sergeant in the command of the detachment charged the square, seized the prisoner, and held him for the arrival of some commissioned officer. Upon my arrival he reported the matter to me, and the natives came in and made a protest about our taking the prisoner.

When I say "our" I refer to the American authorities. I told the natives that the man would have a trial—that they might produce all the witnesses they had, but that he must be tried by American authorities. The following day Captain Boardman, of the Twenty-sixth Infantry, arrived in town. I might state right here that the natives had told me, which afterwards proved to be true, that this Garganera had been tried and convicted of these crimes that I have specified that he had been sentenced to be executed, and had been taken out to the public square to be executed when the American troops came into the town. Captain Boardman and myself discussed the case very thoroughly, and it was decided that Captain Boardman proceed to Iloilo, report all of the facts as given to us by the natives about the man Garganera's crimes, his trial by the legal authorities, his sentence

to be executed, and the seizing and preventing of the carrying out of the execution by the American authorities, and to ask what disposition General Hughes intended making of this prisoner. Captain Boardman left that night for Iloilo to confer with General Hughes.

The following morning Lieutenant Monaghan discussed with me the advisability of referring the matter to our lieutenant-colonel, J. T. Dickman, an officer of long experience and of whom we had a high opinion as an officer. I stated then that if the lieutenant wanted to take a ride of something like 40 or 50 miles that he might go in and confer with Colonel Dickman and get his advice on this subject; but that the matter was referred to General Hughes. The lieutenant returned two days later, before the return of Captain Boardman, and reported that as Colonel Dickman understood the case this Pedro Garganera was a land pirate, wearing no uniform, looting and burning on his own account, and was not entitled to the protection of the laws of war; that if he (Dickman) were I he would hang him up to the nearest tree. This advice I did not follow, for the reason I expected orders from General Hughes through Captain Boardman within a few hours. Captain Boardman returned from Iloilo on or about the 17th of December.

I might add here that previous to Captain Boardman's return Captain Barker, of the Twenty-sixth Infantry, had been ordered to make an inspection of the post of Guimbal, Tigbauan, and Miago, and had arrived at Guimbal. I am covering this as quickly as I can, but I want to cover the account, and all of the records are herein contained. Captain Barker delivered an order to Lieutenant Monaghan that no harm should come to the prisoner; that he should be protected and not turned over to the civil authorities until he had time to confer with the regimental commander.

Q. As I understand it, the civil authorities were in the act of executing the man in the public square when you got there? A. Yes, sir.

Q. What was the method of their proposed execution? A. I was not present, but the usual method of the Filipinos in those interior cities is beheading.

Q. And, as you understand it, that was prevented in this case by a squad of your men charging? A. A squad of Company L.

Q. American soldiers? A. Yes, sir.

Q. Charging the populace and civil authorities who had this man in the public square for the purpose of execution, and seized him?— A. Yes; those are the facts. On Captain Boardman's return from Iloilo, I think on the 27th of December, he delivered to me a positive order coming from General Hughes, in the presence of Dr. Gilerist and Lieutenant Monaghan, for me to turn the prisoner over to him (Captain Boardman). I stated to the Captain that he would have to produce that order. He said that he did not have that order. As the records will show, that was a verbal order from the department commander (General Hughes) for me to turn that prisoner over to him (Captain Boardman). I did so; immediately left the convent. Captain Boardman returned later and stated he had turned him over to the civil authorities to be executed. For this Captain Boardman and myself were tried at Iloilo; I for turning the prisoner over to Captain Boardman without an order and the records will show here that I did receive that order, that Captain Boardman did deliver to me that order in the presence of three witnesses.

Q. You were both tried?—A. We were both tried.

Q. You were tried for turning the prisoner over to Captain Boardman, and Captain Boardman was tried for turning the prisoner over to the civil authorities?—A. I was tried for turning him over to Captain Boardman, well knowing he intended to turn him over to the civil authorities for execution.

Q. And Captain Boardman was tried for turning him over to the civil authorities?—A. Captain Boardman was tried for turning him over to the civil authorities; yes, sir. I think that is the story of Pedro Garganera as referred to by O'Brien, in as few words as I can give it.

Q. Is this the record of your trial and the trial of Captain Boardman [Senator Beveridge indicating typewritten documents]?—A. This is the record of the trial of myself. Captain Boardman's trial is about double that in size.

Q. This is a voluminous document; this involves statements of witnesses and documents, and so forth?—A. Yes, sir; it does.

Q. How long did the trial of yourself continue?—A. About ten days.

Q. For the alleged offense of turning this prisoner over to Captain Boardman without an order?—A. Yes, sir.

Q. You say this voluminous record is only about half the record in the Boardman case?—A. Yes, sir.

Q. And how long did the trial of the Boardman case continue?—A. About ten, or fifteen, or twenty days. My trial lasted about ten days. His, I think, lasted fifteen or twenty days.

Q. It would appear from that that the trials of both yourself and Captain Boardman were extremely exhaustive?—A. They were in other ways, sir.

The CHAIRMAN. What was the sentence of the court in this case?

The WITNESS. Captain Boardman was convicted of the specifications and found not guilty of the charge, as I remember.

Senator CULBERSON. What was the verdict in the case of Captain Boardman?

The WITNESS. I think the records are on file and can be easily procured by the committee; but, as I remember it, he was convicted of the specifications without any criminal intent—not guilty of the charges.

By Senator BEVERIDGE:

Q. That is to say, he was convicted of the facts charged, but not of any criminal intent. He was adjudged guilty of the act of turning the prisoner over, but not with the intent charged. Is that it?—A. That is it, as I understand it.

Q. What was the verdict in your own case?—A. This is very long [referring to typewritten document referred to].

Q. Well, what was the verdict?—A. I was found guilty of certain charges and specifications and not guilty of others. The findings were disapproved by General Hughes [reading]:

In the opinion of the reviewing authorities the sentence is entirely inadequate for the offense, and it is believed to be for the best interest of the service that the delinquent in this case go entirely unpunished rather than set a precedent of inadequate punishment for very grave failures in the performance of official responsibilities.

Senator BEVERIDGE. I do not suppose anybody wants to burden the record with this trial.

By Senator BEVERIDGE:

Q. Now, about rations. You have some rations issued to men. I assume that no member of the committee wants any great volume of these ration reports. You may put in such as you want to, and eliminate such as you want to.—A. I will permit the Senator to select any one he may desire.

Q. There are some I have picked out at random while you have been testifying on other matters. I have looked over some of these while you have been testifying on other points. Here is one, ration No. 419. I find in a period of two weeks, from the 16th of December to the 31st of December, that the squad of prisoners provided for during that time was 26; that during this period for these 26 prisoners there were issued rations as follows: 126 rations of bacon, 169 fresh beef, 124 salmon, 419 rice, 419 coffee, 419 sugar, 419 vinegar, 419 soap, 419 salt. This was to the native prisoners, as I understand it?—A. Entirely for their use; yes, sir.

Q. I have made a very hurried, rough calculation here and I find that that means for each week each man had $3\frac{1}{2}$ of fresh beef, each Filipino prisoner; each one had 2 of bacon, 2 of salmon, 8 of rice, 8 of coffee, 8 of sugar, 8 of vinegar, 8 of soap, 8 of salt. I wish you would look at that ration return and see if that general summary of food issued to these prisoners is correct.—A. (After examination.) Yes, sir; the figures on the back of this return were made by Lieut. W. H. Plummer, commissary officer.

Q. There are 26 of those men there, are there not?—A. Twenty-six prisoners on that day.

Q. I see there you issued them soap.—A. Yes, sir.

Q. You may explain that—but I suppose that the soap was issued precisely as it would be to the American soldiers?—A. Yes; it was.

Q. I perceive here the item of coffee and also the item of sugar. I assume that that also is accounted for by the fact that it was merely the issuing of rations to the prisoners precisely as to our soldiers?—A. Exactly as to our soldiers, according to the order covering that.

Q. Now, merely to illustrate this great bundle of stuff you have here—these were taken out at random—I find that on ration return No 526, 29 native prisoners were served between December 1 and December 15, a period of two weeks, with 158 rations of bacon, 210 fresh beef, and 158 rations of salmon, 526 rations of rice, 526 rations of coffee, 526 rations of sugar, 526 rations of vinegar, 526 rations of soap, and 526 rations of salt. A rough calculation makes that something more than $2\frac{1}{2}$ for each man a week of salmon, more than $7\frac{1}{2}$ each of fresh beef, 18 of rice, coffee, sugar, vinegar, soap, and salt. Examine that ration return and please say if that is substantially correct, and if that is also accounted for by the issuance of the same rations as to American soldiers?—A. (After examination.) The statements you have made are correct as shown on this return.

Q. So it appears on this ration return, which you say is correct, that we issued the Filipino prisoners fresh beef?—A. We did; yes, sir.

Q. We issued them coffee and sugar?—A. Yes, sir.

Q. Vinegar and soap?—A. Yes, sir.

Q. As well as the other items?—A. Yes, sir.

Q. Not only gave them rice, which was their habitual food, but these other items which are given to the soldiers of the American Army?—A. Yes, sir.

Q. And which in some of the best armies in the world are regarded as luxuries?—A. As luxuries; yes.

Q. I do not know whether your experience covers the question I am about to ask, but if it does I will ask you to state it. During your service in the Philippine Islands what is the fact as to your having observed—or done it yourself—the inauguration and establishment of schools for native children after the military authorities had entered, and the detailing of private soldiers to teach those schools?—A. I myself, personally, established schools, by order of the fourth district commander, in the towns of Guimbal, Miagao, Igaras, San Joaquin. Those were all of the large towns in my district.

Q. Who taught those schools, Captain?—A. At the time I established them, native teachers.

Q. Any American soldiers?—A. I do not want to say, positively. I think Sergeant Davis supervised the school at Igaras, but the books, slates, pencils, stationery, and all that sort of thing were furnished by the American authorities and issued to those schools.

Q. Did you serve in the island of Luzon during our first advance over the island, northward from Manila?—A. No, sir; we were sent to the island of Panay.

Q. Right at the start?—A. No, sir.

Q. Were you there in the year 1899?—A. We arrived in October of the year 1899; I was not in the first advance. I would like to say something concerning the treatment of the natives, if the committee see fit.

Q. I was going to ask that very question, and I would be pleased for you to take it up.—A. I want to read to the committee, which can be vouched for by the records——

Q. One moment before you go into that. These native teachers who were placed in charge of those schools were paid salaries, were they not?—A. Yes, sir.

Q. And those salaries were paid by or under what direction or authority?—A. By the towns wherein the schools were located.

Q. The civil government in that town being established under the military authorities?—A. Yes, sir.

Senator CULBERSON. How long a statement is that you have to read? I want to ask you a few questions before 12 o'clock, if I can.

Senator BEVERIDGE. This is a bunch of stuff he is picking out—

The WITNESS. I want to read the orders pertaining to the natives.

Senator BEVERIDGE. The treatment of the natives.

Senator CULBERSON. I don't want to force him to come back to-morrow.

Senator BEVERIDGE. I will be through in a minute, I think.

The WITNESS. I haven't them right here at this moment. If the Senator will continue I will answer his questions.

By Senator CULBERSON:

Q. What general officer did you serve under in the Philippines?—

A. General Hughes, commanding the department.

Senator BEVERIDGE. This is quite a long order. Let me see it while you are answering Senator Culberson.

By Senator CULBERSON:

Q. Who was his judge-advocate?—A. Edward P. Glenn.

Q. What was his rank?—A. At that time he was captain, Twenty-sixth Infantry; now major, Fifth Infantry.

Q. Do you remember General Hughes's staff officers, or any of them?—A. I remember some of them; yes, sir—Lieutenant Simmons; Major Noble. I can not at this moment recollect any other staff officer. Senator McCOMAS. Was that the Major Noble who was on the staff of General Shafter?

THE WITNESS. I do not know, sir.

By Senator CULBERSON:

Q. Was Lieutenant Conger on his staff?—A. He was in command of the native scouts, a detachment of mounted infantrymen of the Nineteenth United States Infantry. That detachment came under the immediate command of Gen. R. P. Hughes. I do not think Lieutenant Conger was on the immediate staff of General Hughes at that time. At the present time I think he is in charge of small-arm firing practice at San Francisco.

Q. When General Hughes was stationed at Iloilo and when your regiment was in that vicinity, for instance, Leon—detachments of it in Leon—about Leon—who was the adjutant of the regiment?—A. We had a detachment of I Company, Twenty-sixth Infantry, stationed at Leon at the time that Captain Pendleton, Twenty-sixth Infantry, was adjutant of the Twenty-sixth. At another time we had the company, Company L, I think—Captain Boardman's company—stationed at Leon.

Q. You, I believe, stated yesterday that this water cure was administered at Igharas, although you say that Corporal O'Brien was not present?—A. Yes, sir.

Q. You saw it administered?—A. I did; yes, sir.

Q. Were you in command at this point?—A. I was not at the time; sir; that was one of my stations in my district.

Q. Who was in command at that point?—A. The senior officer then present.

Q. What was his name?—A. Capt. Edward Glenn.

Q. Capt. Edward Glenn?—A. Yes, sir.

Q. Was this water cure administered under his direction?—A. I mainly heard no orders given for the administration of the water cure.

Q. Were any orders given for it?—A. Not that I personally know of.

Q. Do you not know, Captain, that it was administered either under orders of or by the acquiescence of Captain Glenn?—A. I do not know that it was ordered by Captain Glenn.

Q. Was it acquiesced in by Captain Glenn?—A. Undoubtedly so; yes.

Q. He was General Hughes's judge-advocate-general?—A. No, sir; he was judge-advocate for the department commanded by General Hughes.

Q. Judge-advocate of that department. What are the duties, in general terms, of the judge-advocate?—A. I don't know what the duties of the judge-advocate are, sir. He, as a rule, attends to the trials and investigation of cases.

Q. Is he not, so to speak, the military law officer of the department?—A. I understand that he is, so far as I know, yes, sir.

Q. Now, do you not know that these rules of war, Orders No. 100, provide, among other things, that tortures shall not be used to extort

confessions?—A. I am not familiar enough with General Orders, No. 100, to quote it at this particular moment, but I know that the general rules of war are that tortures are not to be administered, and they never were administered to any prisoner in my custody or the custody of any of my men.

Q. You saw the cure administered there that day?—A. I did see it, yes, sir.

Senator BEVERIDGE. You understand that the Senator makes “water cure” and “torture” synonymous?

Senator CULBERSON. Certainly; and I don't suppose anybody else makes a distinction.

Senator BEVERIDGE. I think there are a great many who do.

By Senator CULBERSON:

Q. I have not heard of any being made. This man was a prisoner, was he not?—A. At the time; yes, sir.

Q. Were you present actually and saw the administration of this cure?—A. I did on the second administration of it; yes, sir.

Q. Was he forced by that to make a confession?—A. I should judge that he was, and a very strong one.

Senator BEVERIDGE. What was his confession?—A. I intend to state that later.

Senator BEVERIDGE. Go ahead, then; I will not interrupt now.

By Senator CULBERSON:

Q. Were these facts reported to General Hughes?—A. I don't know, they were not by me.

Q. They were not by you?—A. No, sir.

Q. However, this instance of water cure was under the direction of the judge-advocate of his department?—A. I do not so state. I have no doubt in my own mind that he was the man responsible for it.

Q. That is all I care to get in that connection.

I believe you said, captain, that you know of no other instance coming within your personal knowledge, of the administration of the water cure?—A. That is true; yes, sir.

Q. Do you know Isadore H. Dube, who was a member of your regiment?—A. I never heard of him.

Q. His testimony begins in our record on page 2243. He stated that he was a sergeant in the Twenty-sixth United States Volunteers, and he stated that he saw the water cure administered at Jaro, Panay, and that it was administered to some natives who were confined in the guardhouse by order of Captain Glenn. This is the same Captain Glenn?—A. Undoubtedly, as he was the only Captain Glenn in that department.

Q. Do you know anything, either personally or otherwise, about the cure having been administered there at that time?—A. I do not, no, sir.

Q. Sergeant Manning, also of the Twenty-sixth, testified that he saw the water cure administered to a dozen or so of people at Leon. Do you know anything of that?—A. I never heard of it until you called my attention to it.

Q. His testimony is on page 2351.—A. I know Sergeant Manning.

Q. You know him personally?—A. Yes; he was tried on the 1st returning from Japan and found guilty and reduced to the rank—

Q. Will you repeat that?—A. He was tried for being absent without leave on the trip home from Nagasaki, Japan, and found guilty and reduced to the ranks.

Q. He stated that the commanding officer at that place was Captain Gregg.—A. Sergeant Manning?

Q. Yes.—A. Yes, sir; Captain Gregg was the commanding officer at Leon and its subdistricts. That I know for a fact.

Q. Do you remember what company?—A. Company I, Twenty-sixth Infantry.

Q. Mr. Leroy E. Hallack, who testified he was a sergeant in Company I, Twenty-sixth Infantry—do you know him personally?—A. I never heard of him.

Q. (Continuing.) Also testified to this cure being administered at Leon upon ten or a dozen Filipinos who were implicated and afterwards confessed to the murder of Private O'Hearn of that regiment. Do you know of any of the circumstances connected with that?—A. No, I never heard of it. As I have testified, I never heard of or saw but one case of water cure in my entire service in the Philippine Islands.

Q. What became of this party to whom the cure was administered at Igharas?—A. He was found guilty by military commission at Iloilo and sentenced to ten years at hard labor, and is now confined in Manila, as far as I know.

Q. Were you present at his trial?—A. I was; yes, sir.

Q. Did all the facts connected with his confession come out there at his trial? A. I don't quite understand the way in which you put the question. Am I to infer that the evidence procured from him at that time was used against him?

Q. Yes.—A. The evidence used to convict him was from at least a dozen different sources. I don't know of any evidence which was compelled from him at that time being used against him.

Senator BEVERIDGE. In the trial?

The WITNESS. In the trial. The records of the trial are on file and can be easily procured.

By Senator CULBERSON:

Q. I understand that, but at the same time, if you knew it yourself. Did you testify in the case?—A. I did; yes, sir.

Q. Did you say anything about the water cure?—A. I did not.

Q. Did any of the witnesses testify about it?—A. Not to my personal knowledge.

By Senator BEVERIDGE:

Q. Was he being tried for the administration of the water cure?—A. Who—the prisoner?

Q. Yes.—A. No, sir.

Senator CULBERSON. Passing by the facetiousness of our friend, you might still answer my question and state whether or not the fact of the water cure having been administered to him came out in the trial at Iloilo.

Senator BEVERIDGE. I have no objection to that question being answered, but I call the Senator's attention to the fact that he has asked the witness whether he testified at the trial of this man to the water cure being given him, and the man himself not being tried for

having the water cure inflicted, or Captain McDonald or anybody else having it inflicted. So that the Senator from Texas knows that he is asking a question that would not be pertinent to the trial at all.

Senator CULBERSON. I simply want to find out, Mr. Chairman, & everybody understands, apparently, except the Senator from Indiana whether or not at the time of this trial the fact of the administration of the water cure on the man who was being tried was brought out.

Senator BEVERIDGE. I think I have a very fair comprehension of the intention of the Senator.

The CHAIRMAN. I think the witness can go ahead and answer the question..

The WITNESS. Not to my knowledge was there any evidence introduced at this trial that the so-called water cure was administered to him.

Senator DIETRICH. What did he confess to?

The CHAIRMAN. That has not been brought out. You may state what he confessed to.

The WITNESS. The presidente of Igbaras, whose name can be procured by reference to the records, was a man who was a captain of insurgents. That was the principal fact, I think, obtained from him on that day of the administration of the water cure. He was a man whom we never trusted. He had, I think, about 40 or 50 police under his control. Sergeant Davis, who was in command of the detachment in Igbaras, informed me that he was replacing the old policemen by new and younger men. I warned the sergeant to look out; let him go ahead; watch him carefully. The main facts developed at the court showed that this man had replaced all of the older policemen by regularly sworn insurgent soldiers and was himself a captain of insurgents, which he testified to at the time of his trial.

Previously to Captain Glenn entering the town of Igbaras he came to me in my station at Miagao and wanted me to permit him to locate his police station in the basement of the building occupied by us for American troops. At the time of his request I knew that he was discharging all of the older policemen, and I was very suspicious of him. I told him that I intended to visit the town of Igbaras in a few days and that we would then consult with reference to the matter, would look over the town, and would see if we could not locate the police station in some place satisfactory to both of us. On my next visit to Igbaras the entire police department was corralled, taken prisoners & prisoners of war, and held as such.

Senator BEVERIDGE. Why?

The WITNESS. For the reason that they were all sworn insurgent soldiers and admitted the fact without the use of the so-called water cure.

By Senator CULBERSON:

Q. Will you please describe the water cure as administered to the presidente at Igbaras?—A. I saw the presidente of Igbaras. I think first in the second story of the convent in the town of Igbaras. He was at that time under a water tank. The water was running from the tank onto his face or, I think, into his mouth; I was not close enough to see that. He was afterwards thrown on his back in front of the convent and a syringe inserted into his mouth and water pumped into his stomach. The results could not have been very good.

as he immediately arose from his back and mounted his horse and rode into the mountains, almost the entire day with us, without showing any ill effect of his imbibing aqua pura.

Q. Do you know whether the cure had been administered to him the day before?—A. I am positive it was not.

Q. The reason I asked is that I understood you to say that you saw the second application of the cure to him? A. This cure was the same day; they were within a few minutes of each other.

Q. You saw it twice, then; you saw it both times?—A. The so-called water cure which I refer to is the water cure administered to this man.

Q. And it was administered twice; once upstairs in the convent and the other time downstairs in front of the convent?

The CHAIRMAN. This has been testified to over and over again before this committee.

Senator CULBERSON. That may be so; I wanted the witness's recollection about that.

The CHAIRMAN. The witness stated he saw it.

Senator CULBERSON. He can say so.

The CHAIRMAN. Did I not understand you to say it was administered upstairs and then downstairs?

The WITNESS. Yes, sir.

By Senator CULBERSON:

Q. The witness also stated previously, in answer to a question, that he saw the second application. I am trying to find out which is the first and which is the second, in the estimation of the Captain. If I misunderstand you, Captain, you can correct me. A. I have testified that I saw the water cure administered on this one man, and that is the only case in my entire service in the Philippine Islands which I saw or heard of while I was there. He was the presidente of that town.

Q. You saw both applications, you say; you saw it upstairs and you saw it downstairs? A. Yes, sir.

Q. Why did they administer it downstairs after it was administered upstairs? A. I don't know, sir.

Q. Was it not because he refused to confess up there?

Senator BEVERIDGE. The witness has said he did not know.

Senator CULBERSON. I am trying to refresh his recollection.

The WITNESS. I do not know; I have no recollection about it.

The CHAIRMAN. I think the answer is clear.

Senator CULBERSON. I am sure the gentlemen think so.

Senator BEVERIDGE. Does not the Senator think so?

Senator CULBERSON. I am trying to get at what the Captain knows about it; I am sure he will tell all he does know.

The WITNESS. I have told you what I knew as far as I can remember.

Senator CULBERSON. They would not administer it the second time as a matter of curiosity?

Senator BEVERIDGE. That is a matter of inference.

The CHAIRMAN. I think that is purely a matter of inference.

By Senator CULBERSON:

Q. Do you not know as a matter of fact, Captain, that they administered the water cure the second time because the presidente would not confess the first time it was administered? A. I do not know any such thing as a matter of fact.

Q. You were present both times?—A. Yes, sir.

Q. Did you hear him make any confession the first time it was administered?—A. I did not; no, sir.

Q. Did you hear him make any the second time?—A. I did not; no, sir.

Q. You have stated he did confess?—A. I made no such statement that I can recollect. I do not know whether he did or did not confess.

Q. You said only a moment ago—— A. Yes; I beg the Senator's pardon, I had forgotten that entirely. The confession was procured from him.

Q. The second time?—A. No, sir; the first time; he made a confession the first time.

Q. Upstairs?—A. Yes, sir.

Q. Why did they administer it again downstairs?—A. As I have testified several times, I don't know why. I was preparing my detachment to fall in in the rear of the Eighteenth Infantry, and I was standing by my horse. I think my entire detachment were standing at their horses' heads when this man was thrown on his back—not by my men.

Q. By what men?—A. The Eighteenth Infantry.

Q. How was his mouth kept open upstairs?—A. I was not close enough to testify.

Q. How was it kept open downstairs?—A. I think by the insertion of the bulb of the syringe; I think that would be sufficient to keep it open.

Q. In your service in the Philippines did you witness the burning of any barrios or villages or towns?—A. Yes, sir.

Q. By American troops?—A. Yes, sir.

Q. Where?—A. On the day we started from Igharas with the detachment of mounted Eighteenth Infantry I think we burned two barrios. I personally burning a barrio named Lanog.

Senator BEVERIDGE. Why?

The WITNESS. Because it was a ladrone stronghold.

Senator DIETRICH. That is what you testified to yesterday!

The WITNESS. Yes.

Senator CULBERSON. I was going to ask you about that.

The WITNESS. I understood you to ask me to enumerate the places that were burned——

Senator CULBERSON. Yes; but I was listening when I was interrupted by the Senator from Indiana.

Senator BEVERIDGE. I wanted to know why it was burned.

By Senator CULBERSON:

Q. State the other instances.—A. I think the day we went out with the Eighteenth Infantry we burned two barrios. I started fire to a barrio called Icabagon, on the island of Panay, but we did not finish the burning of that barrio, as the insurgents were too close on us, and I had had three men wounded. That is, I think, all of the barrios that I personally

Q. How many houses were burned that you witnessed?—A. I forgot to enumerate the town of Igharas in that statement. You mean the total of all the barrios?

Q. You burned two barrios or two barrios and a part of a third one?—A. Yes, sir.

Q. And how many houses were in all of those three combined?—A.

I do not think there was one decent house or a house costing more than a few dollars in any one of the barrios that I have seen burned.

Q. Numerically, how many houses?—A. I could not give you the number and I would not care to estimate. I should say the town of Igbaras was the largest fire I ever saw on the island.

Q. It was totally destroyed?—A. No, sir.

Q. The reason I asked you is that you said that the barrio of Igbaras was destroyed—I do not know whether it is a town or a barrio.—

A. It was a town containing about 8,000 inhabitants.

Q. And you burned what there?—A. The greater part of the town, retaining, saving the better class of buildings, such as the wooden buildings.

Q. Did you burn private residences there?—A. Yes, sir.

Senator BEVERIDGE. Private residences?

Senator CULBERSON. Sir?

Senator BEVERIDGE. Did you say private residences?

Senator CULBERSON. Yes; and the witness said private residences.

Senator BEVERIDGE. He said "Yes, sir." What do you mean by private residences?

Senator CULBERSON. I mean what the words ordinarily signify.

Senator BEVERIDGE. That is what I thought you meant, and that is the reason I called attention to that. Private residences in this country mean one thing and the nipa huts do not mean a private residence; it is a private place where people live, in the sense that they live there; but "private residences" is a different thing.

By Senator CULBERSON:

Q. You say these houses you burned, or some of them, were the private residences or the homes of the people?—A. They were the only thing they had to live in; yes, sir.

Q. Was it the same way at La Nog and other places to which you referred? Did you burn private residences there?—A. We certainly burned nipa huts there.

Q. They were the only homes the people had there?—A. So far as I know; yes, sir.

Q. One of the witnesses, Captain, testified before this committee—I have forgotten exactly the name or what regiment he belonged to—that in the case of the burning of one barrio an old crippled woman was taken out of one of the huts and taken 15 paces away from it and left. Did you witness, yourself, anything of that kind?—A. No, sir. If the town was burned, plenty of time was given; warnings would be given to the natives to vacate. As a rule, I do not think we ever had to notify them. They fled on the approach of the American soldiers.

Q. Of course you pursued the ordinary rule in such cases—that the people should vacate the premises and leave, because the town would be burned. Now, you have stated with reference to your own personal knowledge of towns being burned. I will ask you if you passed through any towns outside of these which showed that they had been burned?—A. Yes, sir.

Q. How many and what were they?—A. I would have to think over the names of the different towns; I have seen several towns which have been burned.

Q. Personally, you do not know who burned them; whether the natives themselves, the insurgents, the ladrones, or the American

troops burned them, in those other cases?—A. I know in the case of the town of Tubungan; to illustrate, it was burned by American troops, for the reason it was known to be a stronghold of the insurgents; they were occupying it; they were storing food, ordnance, and all that sort of thing in the town. The town was known to be an insurgent stronghold. There is a positive order issued by General Hughes in relation to the burning of any house or shack by any American soldier, and the penalty as prescribed in that order is death. That is a matter of record. It is signed by General Hughes and issued on or about the month of November, 1899.

Senator McCOMAS. In what island?

The WITNESS. The island of Panay.

By Senator CULBERSON:

Q. Did that order forbid the burning of houses?—A. Indiscriminately; yes, sir.

Q. In these towns which you have talked about, how did you discriminate there?—A. For the reason that I found them and had evidence that they were used for storehouses for the insurgents; that certain insurgent officers and soldiers had occupied them and had houses in the town.

The CHAIRMAN. You burned them as an act of war; as a necessity?

The WITNESS. Yes, sir.

Senator DIETRICH. And others were occupied by ladrones?

The WITNESS. Yes, sir.

By Senator CULBERSON:

Q. Did you go through the towns and pick out the particular houses in each of the towns and burn only those that had been occupied, or did you burn indiscriminately the houses in the town without reference to the particular houses occupied or those that had been occupied by insurgents? I want to get that clear.—A. I do not think by my own orders I ever burned more than two towns, and I did not make any distinction between the houses of individuals and the houses of the insurgents, the insurgent officers, or the storehouses of the insurgent soldiers; I simply burned the towns.

Q. Without reference to the particular houses that were burned?—A. Yes, sir.

Senator McCOMAS. Those were in the insurrectionary district?

The WITNESS. Yes, sir; all of my service was within the enemy's lines. My entire time in the Philippines was spent in active field service.

By Senator CULBERSON:

Q. Do you know of any general officer, United States Army, who ever issued an order prohibiting the administration of the water cure in the Philippine Islands?—A. Not in my time of service there; no, sir.

Q. Did you ever see an order prohibiting the administration of the water cure?—A. No, sir; I did not, or one permitting it, either; or any reference made to the water cure.

Q. It was simply silently acquiesced in by the officers who were present?—A. I don't know of any such statements.

Q. You said a while ago that it was acquiesced in by Captain Glenn?—A. Yes, sir.

Q. And acquiesced in by you?—A. Yes, sir.

Q. And acquiesced in by Captain Gregg?—A. I don't know anything about Captain Gregg, sir.

Q. You don't know of that?—A. No, sir.

Q. And it was acquiesced in by Lieutenant Conger, was it not. Was not at Igharas?—A. He was at Igharas, yes; it must naturally have been.

Q. We have at least three officers, then—two captains and a lieutenant—who acquiesced in the water cure; in fact, in one instance ordered it done, have we not?—A. We have; yes, sir. Those are the only officers—

Q. If you know of any general officer of the United States Army in the Philippines, or any commissioned officer of the United States Army in the Philippines, who prohibited the administration of the water cure there, I would be glad for you to state it to the committee; give his name to the committee.—A. I know of no order specifically against the water cure, but we have innumerable orders on file prohibiting cruelty to natives or molestation of natives. I have right now one order which distinctly defines—

The CHAIRMAN. Is this the order you refer to? [Indicating paper.]

The WITNESS. Yes, sir.

The CHAIRMAN. I will have this inserted in the record.

HEADQUARTERS DISTRICT OF TIGRAVAN AND LEON,
Miaqio, P. I., January 9, 1900.
 [Circular.]

The following regulations will be observed at all places where troops are stationed in this district:

I. At retreat, men will parade in blue shirts, khaki trousers, leggins, and campaign hats.

Commanders of stations will inspect their detachments at retreat, giving especial attention to the rifles and equipments. Any rifle found unfit for instant use will be repaired or replaced at once.

II. Officers and men must at all times be in readiness to defend themselves and their quarters from any possible attack.

III. A record will be kept at each station of all arrests by military or native police, giving name, date, offence, and disposition of each.

A monthly report of the above will be forwarded to these headquarters.

Attention is called to Circular Letter, Headquarters 1st Separate Brigade, number 29, 1899, to A. R. Pais, 266-271, and to this extract from G. O., No. 43, Headquarters 8th Army Corps, page 7: "In criminal matters the president, representing the council, shall make the preliminary examination and, according to the result, discharge the prisoner or transfer him immediately to the custody of the military authorities for trial by provost court."

IV. Commanders of stations are reminded that they have no authority to collect tax or license fees. Their first duties are to look after their own defense, to aid local authorities in maintaining order, and to recommend and urge on the municipal council the necessity of sanitary measures.

V. The following paragraph will be read to the men on three successive days at retreat:

Officers and men are cautioned against placing obstructions in the way of either peace or social intercourse with the natives, but they are not to accept hospitality to the extent of placing themselves under any obligation.

The natives have been taught by the oppression of the Spaniards to lay everything at the feet of soldiers. America provides for her troops, and it is imperative that the natives should become acquainted with the justice of our intentions toward them.

The people will not be called upon to furnish horses, save in case of extreme emergency. In such cases a written report will be made to these headquarters.

The taking of agricultural knives or weapons of the native police, the burning of dwellings, or the firing on [persons] not engaged in active hostilities or depredations is absolutely prohibited.

VI. Commanders of stations will furnish these headquarters at once with full particulars of the organizations of the native police, giving strength, arms, efficiency, etc.

By order of Captain Barker:

JAMES R. GOODALE, First Lieutenant and Adjutant.

ORDERS No. 48.]

HEADQUARTERS POST OF MIAGAO, P. I., July 24,

Pursuant to telegraphic instructions from the district commander, the undersigned hereby relinquishes command of the post of Miagao and its substations of Siquin, Guimbal, and Igaras. In doing so he desires to express his appreciation of the uniformly courteous treatment he has received at the hands of the natives in the aforementioned towns, and of the readiness to respond when called upon for assistance in either military or civil affairs. He takes this opportunity also to congratulate the commanding officer of Company M, Twenty-sixth Infantry, on the efficiency and discipline of his command, to which must be largely attributed the order and peace that have prevailed throughout the district during the undersigned's connection with it. It is a source of satisfaction to the undersigned to be able to leave over his command to Capt. Fred McDonald, for he knows that the conduct of the post will be in safe hands.

FRANK A. COOK
Major, Twenty-sixth Infantry, U. S. V., Commanding

By Senator CULBERSON:

Q. I was asking specifically about the water cure. Do you know of any commissioned officer, United States Army, in the Philippine Islands during your time there who prohibited the water cure?—A. I do not know of any general or any other officer who prohibited the water cure.

The CHAIRMAN. It is after 12 o'clock; I hope to get through this witness to-day. Is it the committee's desire to examine further?

Senator CULBERSON. I probably might like to ask him a few questions, but I will not inconvenience him to make him return.

By Senator BEVERIDGE:

Q. You have testified that all these barrios burned were within the enemy's country and the area of active hostilities?—A. They were, sir.

Q. They were burned precisely—

Senator CULBERSON. Let him state how they were burned.

Senator BEVERIDGE. I am doing this.

Senator CULBERSON. And I am objecting.

Senator BEVERIDGE. I know you are.

Q. They were burned precisely as villages and towns were burned in our civil war, or have been burned in France and Germany and other countries in time of war, within the enemy's country?—A. They were; yes, sir.

Senator CULBERSON. I will get you to state a single instance where the United States Army during the civil war burned the private dwellings of a town indiscriminately, as you did at Igaras.

The WITNESS. I think Sherman's march to the sea will illustrate indiscriminate burning.

Senator BEVERIDGE. I would rather not be interrupted. This is a matter of history, and I am asking the Captain—

Senator CULBERSON. I am challenging the correctness of the history.

Senator BEVERIDGE. You can produce your history.

The CHAIRMAN. I have a lot of orders here about burning during the civil war. If the Senator would like me to make them a part of the record I can do so.

Senator CULBERSON. You can do as you please about it.

The CHAIRMAN. Including General Early's order to burn Chambersburg.

By Senator BEVERIDGE:

Q. As I understand you, these towns you referred to that were burned as an act of war were within the sphere of active hostilities; and I understood you to say that the substantial houses or the wooden houses were preserved.—A. In the town of Igaras, which were the only substantial houses I ever saw in any of these towns that were burned.

Q. The rest were what?—A. Nipa shacks.

Q. And a nipa shack is what kind of a structure?—A. A little house 10 by 12, on four posts.

Q. And thatched with what?—A. Bamboo.

Q. What is the whole thing made out of?—A. Bamboo; it is generally made by the owner himself.

Q. How long does it take him to complete his house?—A. Less than a week, I should say.

Q. What does an entire nipa hut cost, in the labor that would be required to build it, in our money?—A. I should say less than \$10.

Q. You stated why Igaras was burned, I believe?—A. As a matter of military necessity. If I have not stated so before, I will state it so now.

By Senator CULBERSON:

Q. You do not mean to imply that you simply sought out the houses of the poor and burned them, and preserved the houses of the rich over there?—A. No, sir; I do not mean to make any such a statement to this committee. I almost protest against the Senator's question.

Q. The Senator from Indiana seems to justify the burning because of their very slight value—

Senator BEVERIDGE. I do not undertake to justify anything.

Q. But they were the only houses the people had to sleep in and live in—these nipa huts?—A. Yes, sir.

Senator CULBERSON. That is all I have to ask.

The WITNESS. Do I understand that I am excused from further attendance?

The CHAIRMAN. Yes, sir.

The WITNESS. I would like to say one word to the committee before I leave. Certain witnesses have appeared before the committee, and I have undertaken to prove that they, or at least one witness, has committed perjury. He certainly has libeled me criminally, and also other commissioned officers, and has tried to blacken the name of the American Army. Now, I, as a matter of justice to myself, shall ask the committee to take some step to punish a man who will deliberately come here and testify to lying statements and commit the perjury that this witness O'Brien has committed before this committee. I have proven, I think, to the committee that he was not at the station where he has testified he was. That is all.

I would like to say one word about the man testified to by O'Brien. His record was perfectly clean.

Senator BEVERIDGE. The enlisted man he spoke of?

The WITNESS. Yes, sir.

With the permission of the committee I will introduce a bill of fare showing the bill of fare the men had for dinner on July 4.

MENU JULY 4, 1900.

Breakfast.—Bacon, potatoes fried, biscuit, coffee.*Dinner.*—Roast chicken and dressing, mashed potatoes, boiled onions, green peas. Relishes: Pickles, olives, Worcestershire sauce, cheese (Edam), mustard, apricots, pears, ginger snaps, chocolate.*Supper.*—Mock turtle soup, cold ham, biscuit, coffee.

The CHAIRMAN. As the matter has been referred to, I will have inserted in the record the official orders issued in the civil war in regard to burning.

HEADQUARTERS VALLEY DISTRICT, July 22, 1864.

Instructions for Generals McCausland and Johnson. Cross your brigades at McCoys Ferry or Clear Spring, and then proceed to Hagerstown and from there to Chambersburg. At Chambersburg levy \$100,000 in gold or \$500,000 in Northern money to pay for the houses of Andrew Hunter, Alexander R. Hoteler, and Edmund Q. Lee, of Jefferson County, Va., which were burned by order of the Federal military authorities, and if the money is not paid burn the entire town as a retaliation for the burning of these houses and others in the State of Virginia by Federal authorities. Burn the depots at Chambersburg and proceed from there, by McConnellsburg, to Cumberland and destroy the bridges on Baltimore and Ohio Railroad as you go, and, if you can, the tunnel at Paw Paw. Levy on Cumberland \$100,000 in gold or \$500,000 in Northern funds. Then destroy railroad shops, depots, etc., and burn all iron works and the machinery at all the coal pits in that region of country. Break up the establishment at New Creek, and burn all bridges within reach. Gather all the cattle you can in Alleghany County and the adjoining county in Pennsylvania; also from the western part of Hardy, taking care not to disturb the property of good Southern men in this county.

Their cattle, if fit for beef, must be taken and paid for. Return through Hardy County toward Winchester, sending the cattle through Brooks Gap to Harrisonburg.

J. A. EARLY, *Lieutenant-General*.

Official.

T. ROWLAND, *Assistant Adjutant-General*.

The above order is copied from an official copy made by the Record and Pension Office from the original order loaned to the War Department by Gen. Bradley I. Johnson.

UNION.

[Official Records, Series I, Vol. III, pp. 466, 467.]

PROCLAMATION.

HEADQUARTERS WESTERN DEPARTMENT,

St. Louis, August 30, 1861.

Circumstances, in my judgment, of sufficient urgency render it necessary that the commanding general of this department should assume the administrative power of the State. Its disorganized condition, the helplessness of the civil authority, the total insecurity of life, and the devastation of property by bands of murderers and marauders, who infest nearly every county of the State, and avail themselves of the public misfortunes and the vicinity of a hostile force to gratify private and neighborhood vengeance, and who find an enemy wherever they find plunder, finally demand the severest measures to repress the daily increasing crimes and outrages which are driving off the inhabitants and ruining the State.

In this condition the public safety and the success of our arms require unity of purpose, without let or hinderance to the prompt administration of affairs. In order therefore, to suppress disorder, to maintain as far as now practicable the public peace, and to give security and protection to the persons and property of loyal citizens, I do hereby extend and declare established martial law throughout the State of Missouri.

The lines of the army of occupation in this State are for the present declared to extend from Leavenworth, by way of the posts of Jefferson City, Rolla, and Houston, to Cape Girardeau, on the Mississippi River.

All persons who shall be taken with arms in their hands within these lines shall be tried by court-martial, and if found guilty will be shot.

The property, real and personal, of all persons in the State of Missouri who shall take up arms against the United States, or who shall be directly proven to have taken

an active part with their enemies in the field, is declared to be confiscated to the public use, and their slaves, if any they have, are hereby declared freemen.

All persons who shall be proven to have destroyed, after the publication of this order, railroad tracks, bridges, or telegraphs shall suffer the extreme penalty of the law.

All persons engaged in treasonable correspondence, in giving or procuring aid to the enemies of the United States, in fomenting tumults, in disturbing the public tranquility by creating and circulating false reports or incendiary documents, are in their own interests warned that they are exposing themselves to sudden and severe punishment.

All persons who have been led away from their allegiance are required to return to their homes forthwith. Any such absence, without sufficient cause, will be held to be presumptive evidence against them.

The object of this declaration is to place in the hands of the military authorities the power to give instantaneous effect to existing laws, and to supply such deficiencies as the conditions of war demand. But this is not intended to suspend the ordinary tribunals of the country, where the law will be administered by the civil officers in the usual manner, and with their customary authority, while the same can be peaceably exercised.

The commanding general will labor vigilantly for the public welfare, and in his efforts for their safety hopes to obtain not only the acquiescence but the active support of the loyal people of the country.

J. C. FREMONT,
Major-General, Commanding.

[Official Records, Series I, Vol. XI, Part III, pp. 134, 135.]

HEADQUARTERS ARMY OF THE POTOMAC,
May 4, 1862—7 p. m. (Received May 5, 8.40 a. m.)

Hon. E. M. STANTON,
Secretary of War.

Our cavalry and horse artillery came up with the enemy's rear guard in their intrenchments about two miles this side of Williamsburg. A brisk fight ensued. Just as my aide left, Smith's division of infantry arrived on the ground and I presume carried his works, though I have not yet heard. The enemy's rear is strong, but I have force enough up there to answer all purposes. We have thus far seventy-one heavy guns, larger large amounts of tents, ammunition, etc. All along the lines their works prove to have been most formidable, and I am now fully satisfied of the correctness of the course I have pursued. The success is brilliant, and you may rest assured that its effects will be of the greatest importance. There shall be no delay in following up the rebels. The rebels have been guilty of the most murderous and barbarous conduct in placing torpedoes within the abandoned works near wells and springs, near flagstaffs, magazines, telegraph offices, in carpetbags, barrels of flour, etc. Fortunately we have not lost many men in this manner, some 4 or 5 killed and perhaps a dozen wounded. I shall make the prisoners remove them at their own peril.

Geo. B. McCLELLAN,
Major-General.

[Official Records, Series I, Vol. XI, p. 136.]

HEADQUARTERS UNITED STATES FORCES,
San Antonio, Tex., June 24, 1862.

SIR: Subsequent to my report of the 21st instant guerrilla bands have twice fired into the gunboats and transports from the woods opposite San Antonio and once upon the pickets above the town, killing 1 mortar-boat man, who was detached at Memphis as a part of a gun squad to act with this regiment, and a seaman of the gunboat *Lehigh*. To put a stop to such barbarous warfare Major Brightwell was sent with four companies, escorted by the gunboats *Lehigh* and *Albatross*, up Indian Bay into the country of Mexico, where these bands are said to have been raised, with orders to post conspicuously copies of the accompanying notice. The expedition was successful, seizing some ammunition that was about to be sent by these snails, and bringing in 4 prisoners, who were charged with holding a meeting there. One of the prisoners, Moore, appears to be a sergeant in the Confederate Army, on furlough, obtained upon tender of his resignation, which has not been finally acted upon. As surgeon, he claims exemption from captivity or detention.

ment between belligerents. He was not taken as such, but as a member or as siding in the formation of guerrilla bands. An investigation of the case is now being made.

An expedition was planned for this morning at 6.30 up the river to Crockett Bluff, where considerable cotton was said to be concealed and one or two mounted guerrilla bands stationed. At that hour a note was received from Captain Winslow, requesting that the expedition might be deferred until the next day. The request was complied with, and preparations made to clear the underbrush opposite this place to deprive the guerrillas of cover. These preparations were suspended by notice from Captain Winslow of his intention to immediately take the gunboats out of the river, under an apprehension that a fall in the water might render it inconvenient to do so if he longer delayed. Conscious that the small force under my command would not be able, unsupported by the gunboats, to hold the place and insure the safety of the transports, orders were reluctantly given to call in the pickets and embark the troops, for the purpose of accompanying the gunboats to the mouth of the river.

I remain, General, very respectfully, yours,

G. N. FITCH,

Colonel, Commanding Forty-sixth Regiment Indiana Volunteers.

Major-General WALLACE, *Commanding Memphis.*

[Inclosure.]

NOTICE.

To the Inhabitants of Monroe County, Arkansas:

Guerrilla bands raised in your vicinity have fired from the woods upon the United States gunboats and transports in White River. This mode of warfare is that of savages. It is in your power to prevent it in your vicinity. You will therefore, if it is repeated, be held responsible in person and property. Upon a renewal of such attacks an expedition will be sent against you to seize and destroy your personal property. It is our wish that no occasion for such a course shall arise, but that every man shall remain at home in pursuit of his peaceful avocation, in which he will not be molested unless a continuance of such barbarous guerrilla warfare renders rigorous measures on our part necessary.

Given at headquarters, on steamboat *White Cloud*, at Saint Charles, Ark., this 2d day of June, 1862.

By order of G. N. Fitch, colonel commanding United States forces:

Jos. D. COWDIN, *Acting Adjutant*

[Official Records, Series I, Vol. XIII, p. 402.]

GENERAL ORDERS, }
No. 18. }

HEADQUARTERS MISSOURI STATE MILITIA,
St. Louis, May 29, 1862.

The enemies of the United States and of Missouri seem still determined to ruin the State they have so signally failed to conquer; to destroy the peace of a people who are fixed in their loyalty to the Union.

Rebel officers and men are returning to their homes, passing stealthily through our lines, and endeavoring again to stir up insurrection in various portions of the State where peace has long prevailed, and there still remain among the disaffected who never belonged to the rebel army, a few who avail themselves of every favorable opportunity to murder Union soldiers and destroy the property of citizens.

The Government is willing and can afford to be magnanimous in its treatment of those who are tired of the rebellion and desire to become loyal citizens and to aid in the restoration of peace and prosperity of the country; but it will not tolerate those who still persist in their wicked efforts to prevent the restoration of peace whom they have failed to maintain legitimate war. The time is passed when insurrection and rebellion in Missouri can cloak itself under the guise of honorable warfare.

The utmost vigilance and energy are enjoined upon all the troops of the State in hunting down and destroying these robbers and assassins. When caught in arms engaged in their unlawful warfare, they will be shot down upon the spot. All good citizens, who desire to live in peace, are required to give their assistance to the military authorities in detecting and bringing to punishment the outlaws who ruin this State and those who give them shelter and protection.

Those who fail to do their duty in this matter will be regarded and treated as abettors of the criminals.

Those who have been in arms against the United States or have aided the rebellion, and now desire to become good and loyal citizens, may surrender themselves and their arms at the nearest military post, and will be released upon subscribing to the usual oath and giving bond, with approved security, for their future loyal conduct. They will thereafter be free from military arrest so long as they shall in good faith observe and keep the conditions of their oaths and bond, or if in any particular case it shall be deemed by the military authorities inexpedient to release with the promise of future protection a man who has voluntarily surrendered himself he will be released and placed in the same condition as he was before his voluntary surrender.

All officers and men of this command are reminded that it is their duty, while punishing with unmeasured severity those who still persist in their mad efforts to destroy the peace of the State, not only to abstain from molestation, but to protect from injury all loyal and peaceable citizens. All will be held to a strict accountability for the just and proper execution of the important and responsible duties required of them by this order.

Whenever any doubt shall arise as to the propriety of releasing with promise of protection persons who have voluntarily surrendered themselves the case will be referred to the provost-marshal-general.

By order of Brigadier-General Schofield:

C. W. MARSH,
Assistant Adjutant-General.

[Official Records, Series I, Vol. XIII, p. 416.]

GENERAL ORDERS,)
No. 3.)

HEADQUARTERS DISTRICT OF MISSOURI,

St. Louis, June 27, 1862.

The rebels and rebel sympathizers in Missouri will be held responsible in their property, and, if need be, in their persons, for the damages that may hereafter be committed by the lawless bands which they have brought into existence, subsisted, encouraged, and sustained up to the present time. These lawless bands could not exist in Missouri a single week but for the aid of influential and wealthy sympathizers, many of whom have taken the oath of allegiance to the United States only to violate its spirit while they observe its form—so far as to escape punishment. If these people will not aid in putting down the demon they have raised among us they must pay the damages.

II. The sum of \$5,000 for every soldier or Union citizen killed; from \$1,000 to \$5,000 for every one wounded; and the full value of all property destroyed or stolen by guerrillas will be assessed and collected from the class of persons described above and residing in the vicinity of the place where the act is committed. The sum thus collected will be paid to the legal heirs of the soldier or citizen killed, to the wounded person, or to the rightful owner of the property destroyed or stolen.

III. For the purpose of carrying out the provisions of this order the commanding officer of each division of this military district will appoint a county board for each county in his division. This board will consist of not less than three members, who will be selected from the most respectable and reliable citizens of the county, and will take an oath to discharge faithfully and impartially all the duties required of them by this order. Immediately after its appointment and qualification the board of each county will proceed to ascertain the residents and property holders of the county who have actively aided or encouraged the present rebellion.

Immediately after the receipt of official information of either of the acts denounced by this order the division commander will notify the county board for the county in which the act is committed, who will immediately proceed to assess and collect the amount specified in Paragraph II, according to the nature of the case. If the amount assessed shall not be paid over in reasonable time, which will be specified by the board, a sufficient amount of personal property will be seized and sold to raise the amount. Any person who shall attempt to resist or evade the execution of this order will be arrested and reported to these headquarters, to be dealt with according to the nature of the offense.

When an act for which an assessment is to be made shall be committed at such a place or under such circumstances as to render two or more counties properly responsible for it the division commander will so decide, and direct what portions of the assessment shall be made upon each county.

A single board may be appointed for two or more counties or parts of counties in the same division, at the discretion of the division commander. The county books of any county shall have power to drop from its assessment roll the name of any person

son who shall have taken the oath of allegiance and shall satisfy the board that he is honestly and faithfully discharging his duties as a good and loyal citizen and actively aiding in the restoration of peace and in bringing the lawless to punishment.

In making an assessment of damages the board will be governed by the wealth of an individual and his known activity in aiding the rebellion, particularly in countenancing and encouraging guerrillas, robbers, and plunderers of the loyal people.

Each county board will keep an accurate record of its proceedings, and will send a duly certified copy of each case to district headquarters.

By order of Brigadier-General Schofield:

C. W. MAHER,
Assistant Adjutant-General.

[Official Records, Series I, Vol. XIII, pp. 611, 612.]

HEADQUARTERS NORTHEAST MISSOURI DIVISION,
Macon City, Mo., September 2, 1862.

Major CALDWELL:

You will dispose of the prisoners as below directed in each case. The execution will be by shooting to death, and I desire that it may be done publicly and with due form and solemnity, inasmuch as I wish the necessary effects produced without being compelled again to order an execution.

First. John Gastemee, to be shot to death on Friday, the 5th of September, between the hours of 10 o'clock a. m. and 3 o'clock p. m., at Mexico, Mo.

LEWIS MERRILL,
Brigadier-General, Commanding Northeast Missouri Division.

Second. William M. McFarland, to be shot to death on Friday, the 5th of September, between the hours of 10 o'clock a. m. and 3 o'clock p. m., at Mexico, Mo.

LEWIS MERRILL,
Brigadier-General, Commanding Northeast Missouri Division.

To be taken to the execution ground and the following order then read to him:

In consideration of the noble stand taken for the right by your brother, Captain McFarland, of the Ninth Missouri State Militia, the commanding general is pleased to order that your life be spared and your sentence commuted to confinement during the war. This is a tribute to the patriotism and sense of duty of your brother, and not out of consideration for a man who has not only committed the crime of unlawfully, and in violation of all the rules of civilized war, taking up arms against his Government, but who has added to that crime the fearful offense of blackening with perjury a soul already stained with crimes which no right-minded man can view except with horror and disgust. Let the awful example before you teach you the lesson you evidently so much need, and show by your earnest repentance of your crimes that you are again worthy to be called brother by an honest man.

LEWIS MERRILL,
Brigadier-General, Commanding Northeast Missouri Division.

Third. Solomon Donaldson, to be shot to death on Friday, the 5th of September, between the hours of 10 o'clock a. m. and 3 o'clock p. m., at Mexico, Mo.

LEWIS MERRILL,
Brigadier-General, Commanding Northeast Missouri Division.

[Official Records, Series I, Vol. XIII, pp. 660, 661.]

HEADQUARTERS NORTHEAST MISSOURI DIVISION,
Macon City, Mo., September 2, 1862.

Maj. A. F. DENNY, *Huntsville, Mo.:*

MAJOR: Captain Burkhardt has been directed to take back to Huntsville the following prisoners: Charles King, Charles Tillotson, and D. S. Washburn.

With regard to these men you will observe the order herewith inclosed, which will be your warrant for the execution, and I hope that this example will have a satisfactory effect that no further execution in your vicinity may be necessary.

I wish the execution of these men to be done with due form and ceremony, and thinking you may not be aware of the proper form, give the following description of how it is to be done:

At the hour fixed for the execution your whole command will be paraded at

marched to the execution ground, together with the condemned and the firing party; the firing party will be selected by lot from your men, six men for each prisoner. The march to the execution ground is in the following order: First. A company of your command. Second. The prisoners, each with the firing party in the rear of him. Third. The rest of your command.

Having reached the ground, the command will be formed on three sides of a square, facing inward. On the open side the prisoners and firing party will be disposed as in the diagram.

Before going to the ground the muskets of the firing party will be loaded—not in the presence of the men who are to use them—and of each six one of them will be loaded with a blank cartridge, the others with ball. This is done in order that no individual of the firing party may know to a certainty that his piece contained a ball. The prisoners are then blindfolded and made to kneel before the firing parties, and the commanding officer gives the order, "Ready! aim! fire!"

Six men must be detailed as a reserve, whose duty it will be to finish the execution of any one of the prisoners who may not be killed by the first discharge.

Instruct your firing party that they are simply discharging their duty, and however disagreeable it may be it is a duty, and they will show mercy to the prisoners by aiming true at the heart, that the first fire may kill them.

I hope, major, that this solemn execution of a sentence and vindication of violated law may be properly conducted, and that both yourself and your men will do their duty faithfully, however unpleasant it may be.

After the execution the whole command is marched by the dead bodies, and they are then taken up and decently interred.

I am, major, very respectfully, your obedient servant,

LEWIS MERRILL,
Brigadier-General, Commanding.

[Inclosure.]

SPECIAL ORDERS, }
No. 35. }

HEADQUARTERS NORTHEAST MISSOURI DIVISION,
Macon City, Mo., September 23, 1862.

II. Charles King, Charles Tillotson, and D. S. Washburn, having once been in arms in rebellion against their lawful Government, and having been pardoned for that offense and taken a solemn oath not again to take up arms against the United States, were afterwards found in arms as members of a guerrilla band and taken prisoners, and, in accordance with the laws of war, will be shot at or near Huntsville, Mo., on Friday, the 26th instant, between the hours of 10 a. m. and 3 p. m., having incurred the just penalty of a violated parole and willful and intentional perjury. This sentence will be duly carried into execution by the commanding officer of the troops at Huntsville, for which this shall be his warrant.

III. The following-named prisoners, now in confinement at Macon City, having once been pardoned for the crime of taking up arms against their Government, and having taken a solemn oath not again to take up arms against the United States, have been taken in arms, in violation of said oath and their solemn parole, and are therefore ordered to be shot to death on Friday, the 26th of September, between the hours of 10 o'clock a. m. and 3 o'clock p. m.

The commander of the post at Macon City is charged with the execution of this order, and for their execution this shall be his warrant.

Names of prisoners to be executed: Frank E. Drake, Dr. A. C. Rowe, Elbert Hamilton, William H. Earhart, William Searcy, J. A. Wyson, G. H. Fox, Edward Riggs, David Bell, John H. Oldham, James H. Hall.

By order of Brigadier-General Merrill:

GEO. M. HOUSTON,
Major and Assistant Adjutant-General.

[Official Report Series I, Vol. XV, p. 469.]

SPECIAL ORDERS, }
No. 70. }

HEADQUARTERS DEPARTMENT OF THE GULF,
New Orleans, June 5, 1862.

William B. Mumford, a citizen of New Orleans, having been convicted before the military commission of treason and an overt act thereof, tearing down the United States flag from a public building of the United States, for the purpose of inciting

other evil-minded persons to further resistance to the laws and arms of the United States, after said flag was placed there by Commodore Farragut, of the United States Navy:

It is ordered that he be executed according to sentence of said military commission on Saturday, June 7, instant, between the hours of 8 a. m. and 12 m. under the direction of the provost-marshal of the District of New Orleans, and for so doing this shall be his sufficient warrant.

By command of Major-General Butler, commanding department.

WM. H. WIEGEL,
First Lieutenant and Acting Assistant Adjutant-General

[Official Records, Series I, Vol. XXII, Part I, pp. 816-818.]

HEADQUARTERS TRANS-MISSISSIPPI DEPARTMENT,
Little Rock, Ark., December 7, 1862.

Maj. Gen. SAMUEL R. CURTIS,

Or Officer Commanding, etc., Department of Missouri, St. Louis, Mo.

GENERAL: Inclosed you will find a slip from the Memphis Daily Appeal, of the 31 ultimo, containing an account, purporting to be derived from the Palmyra (Missouri) Courier, of the murder of ten Confederate citizens of Missouri, by order of General McNeil, of the United States Army. This slip was transmitted to me by the President of the Confederate States, who instructs me to ascertain from you whether the facts are as stated.

In accordance with these instructions, I have respectfully to request that you will give me full information in regard to the circumstances related, and at the earliest practicable day.*

I am, general, very respectfully, your obedient servant,

TH. H. HOLMES,
Major-General, Commanding.

HORRIBLE FEDERAL OUTRAGE—TEN CONFEDERATES MURDERED—THE FULL PARTICULARS OF THE SCENE.

[From the Palmyra (Missouri) Courier.]

Saturday last, the 18th instant, witnessed the performance of a tragedy in this quiet and beautiful city of Palmyra, which, in ordinary and peaceful times, would have created a profound sensation throughout the entire country, but which now scarcely produces a distinct ripple upon the surface of our turbulent social tide.

It will be remembered by our readers that on the occasion of Porter's descent upon Palmyra, he captured, among other persons, an old and highly respected resident of this city, by name Andrew Allsman. This person formerly belonged to the 11th Missouri Cavalry, though too old to endure all the hardships of very active duty. He was therefore detailed as a kind of special or extra provost-marshal's guard and cicerone, making himself generally useful in a variety of ways to the military of the place. Being an old resident and widely acquainted with the people of the place and vicinity, he was frequently called upon for information touching the loyalty of persons, which he always gave to the extent of his ability, though acting, we believe, in such cases with great candor, and actuated solely by a conscientious desire to discharge his whole duty to his Government. His knowledge of the surrounding country was the reason of his being frequently called upon to act as a guide to military parties sent out to arrest disloyal persons. So efficiently and successfully did he act in these various capacities, that he won the bitter hatred of all the rebels in this city and vicinity, and they only waited the coming of a favorable opportunity to gratify their desire for revenge. The opportunity came at last, when Porter took Palmyra. That the villains, with Porter's assent, satiated their thirst for his blood by the deliberate and predetermined murder of their helpless victim no truly loyal man doubts. When they killed him, or how, or where, are items of the act not yet revealed to the public. Whether he was stabbed at midnight by the dagger of the assassin, or at midday by the rifle of the guerrilla; whether he was hung and his body left beneath the scanty soil of some oaken thicket, or left as food for hogs to fasten upon,

*See Curtis to Holmes, December 27, 1862, p. 879; Smith to Curtis, June 3, 1863, Part II, p. 307.

or whether, like the ill-fated Wheat, his throat was severed from ear to ear and his body sunk beneath the wave, we know not; but that he was foully, causelessly murdered it is useless to attempt to deny.

When General McNeil returned to Palmyra, after that event, and ascertained the circumstances under which Allsman had been abducted, he caused to be issued, after due deliberation, the following notice:

"PALMYRA, Mo., October 8, 1862.

"JOSEPH C. PORTER.

"SIR: Andrew Allsman, an aged citizen of Palmyra and a noncombatant, having been carried from his home by a band of persons unlawfully arrayed against the peace and good order of the State of Missouri, and which band was under your control, this is to notify you that unless said Andrew Allsman is returned unharmed to his family within ten days from date, ten men who have belonged to your band, and unlawfully sworn by you to carry arms against the Government of the United States, and who are now in custody, will be shot as a meet reward for their crimes, among which is the illegal restraining of said Allsman of his liberty, and, if not returned, presumptively aiding in his murder.

"Your prompt attention to this will save much suffering.

"Yours, etc.,

W. R. STRACHAN,

"Provost-Marshal-General, District of Northeastern Missouri.

"Per order of brigadier-general commanding McNeil's column."

A written duplicate of this notice he caused to be placed in the hands of the wife of Joseph C. Porter, at her residence in Lewis County, who, it was well known, was in frequent communication with her husband. The notice was published widely, and as Porter was in northern Missouri during the whole of the ten days subsequent to the date of this notice, it is impossible that, with all his varied channels of information, he remained unapprised of General McNeil's determination in the premises.

Many rebels believed the whole thing was simply intended as a scare, declaring that McNeil did not dare [?] to carry out the threat.

The ten days elapsed, and no tidings came of the murdered Allsman. It is not our intention to dwell at length upon the details of this transaction. The tenth day expired with last Friday. On that day ten rebel prisoners, already in custody, were selected to pay with their lives the penalty demanded. The names of the men so selected were as follows: Willis Baker, Lewis County; Thomas Hunston, Lewis County; Morgan Bixler, Lewis County; Herbert Hudson, Ralls County; John M. Wade, Ralls County; Marion Lair, Ralls County; Capt. Thomas A. Sidner, Monroe County; Elazer Lake, Scotland County, and Hiram Smith, Knox County. These parties were informed on Friday evening that unless Mr. Allsman was returned to his family by 1 o'clock on the following day they would all be shot at that hour. Most of them received the announcement with composure or indifference. The Rev. James S. Green, of this city, remained with them during that night, as their spiritual adviser, endeavoring to prepare them for their sudden entrance into the presence of their Maker. A little after 11 a. m. the next day, three Government wagons drove to the jail; one contained four and each of the others three rough board coffins. The condemned men were conducted from the prison and seated in the wagons, one upon each coffin. A sufficient guard of soldiers accompanied them, and the cavalcade started for the fatal grounds. Proceeding east to Main street, the cortege turned and moved slowly southward as far as Malone's livery stable; thence turning east, it entered the Hannibal road, pursuing it nearly to the residence of Col. James Culbertson; there, throwing down the fences, they turned northward, entering the fair grounds half a mile east of the town, on the west side, and, driving within the circular amphitheatrical ring, paused for the final consummation of the scene.

The ten coffins were removed from the wagons and placed in a row 6 or 8 feet apart, forming a line north and south, about 15 paces east of the central pagoda or music stand, in the center of the ring. Each coffin was placed upon the ground, with its foot west and head east. Thirty soldiers of the Second Missouri State Militia were drawn up in a single line, extending north and south, facing the row of coffins. This line of executioners ran immediately at the east base of the pagoda, leaving a space between them and the coffins of 12 or 13 paces. Reserves were drawn up in line upon either bank (flank) of these executioners.

The arrangements completed, the doomed men knelt upon the grass between their coffins and the soldiers, while the Rev. R. M. Rhodes offered up a prayer. At the conclusion of this, each prisoner took his seat upon the foot of his coffin, facing the muskets which in a few moments were to launch them into eternity. They were nearly all firm and undaunted, two or three only showing signs of trepidation.

The most noted of the ten was Capt. Thomas A. Sidner, of Monroe County, whose capture at Shelbyville, in the disguise of a woman, we related several weeks since. He was now elegantly attired in a suit of black broadcloth, with a white vest. A luxurious growth of beautiful hair rolled down upon his shoulders, which, with his fine personal appearance, could not but bring to mind the handsome but vicious Abalom. There was nothing especially worthy of note in the appearance of the others. One of them, Willis Baker, of Lewis County, was proven to be the man who last year shot and killed Mr. Ezekiel Pratt, his Union neighbor, near Williamstown, in that county. All the others were rebels of lesser note, the particulars of whose crimes we are not familiar with.

A few minutes after 1 o'clock Colonel Strachan, provost-marshal-general, and Reverend Rhodes shook hands with the prisoners, two of them accepting bandages for their eyes. All the rest refused. A hundred spectators had gathered around the amphitheater to witness the impressive scene. The stillness of death pervaded the place. The officer in command now stepped forward and gave the word of command, "Ready, aim, fire." The discharges, however, were not made simultaneously, probably through want of a perfect previous understanding of the orders and of the time at which to fire. Two of the rebels fell backward upon their coffins and died instantly. Captain Sidner sprang forward and fell with his head toward the soldiers, his face upward, his hands clasped upon his breast, and the left leg drawn half way up. He did not move again, but died immediately. He had requested the soldiers to aim at his heart, and they obeyed but too implicitly. The other seven were not killed outright, so the reserves were called in, who dispatched them with their revolvers.

It seems hard that ten men should die for one. Under ordinary circumstances it would hardly be justified; but severe diseases demand severe remedies. The safety of the people is the supreme law. It overrides all other considerations. The madness of rebellion has become so deep seated that ordinary methods of cure are inadequate. To take life for life would be little intimidation to men seeking the heart's blood of an obnoxious enemy. They could well afford to make even exchanges under many circumstances. It is only by striking the deepest terror in them, causing them to thoroughly respect the lives of loyal men, that they can be taught to observe the obligation of humanity and of law.

[Official Records, Series I, Vol. XXII, Part I, pp. 860-866.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,

St. Louis, December 24, 1862.

[Maj. Gen. T. H. HOLMES.]

GENERAL: Yours of the 7th instant, containing slips from the Memphis Appeal of the 3d ultimo, containing an account, purporting to be derived from the Palmyra (Missouri) Courier, of the murder of ten Confederate citizens of Missouri, by order of General McNeil, of the U. S. Army, and also saying you are instructed to ascertain from me "whether the facts are as stated," and requesting me to give you the information in regard to the circumstances related," is duly received.

General McNeil is a State general, and his column was mainly State troops. The matter has therefore never come to my official notice. His proceedings seem to have been a kind of police resentment against citizens of Missouri who had violated law and engaged in robbery and murder, and has only been presented by such newspaper reports as you have sent me. I transmit to you a slip from the Palmyra Courier of the 12th instant, signed by William R. Strachan, provost-marshal, which rather describes the affair, but I am not so informed of the facts as to say whether they are true or false. Being thus explained by the provost-marshal, I am not disposed to meddle with it, and am not therefore authorized to admit or deny, justify or condemn. Neither do I admit that the papers justify you or your President of the Confederate States in any inquiry as to this treatment of disorderly citizens in Missouri where you have no force and no organization of forces. Porter's gang was raised on the occasion of enrolling the militia, it being mainly persons who wished to resist the State enrollment by a kind of State mutiny.

* The letter actually sent appears to have been that dated December 27, page 27, which see, as that one is recorded in letter book of the Department of the Missouri, and a copy of it was forwarded to Washington by General Curtis January 1, 1863. The above was found in the miscellaneous papers of that department, but is not recorded in the letter book, and may have been the original draft of the letter of December 27.

as pretending to hold commissions from the Confederate authorities to recruit, without uniforms, concealing themselves within my lines, are spies, and will be shot. Persons in the State, who congregate without commissions of war, to steal and rob, under the color of warfare, have deserved death, and, in instances, after being paroled and taken a second time, they have been summarily disposed of by an indignant and outraged community. Such, I understand, was the case at Palmyra, where the authorities of the State of Missouri are competent to punish her criminals and protect her citizens; and you exert no power, except to give some encouragement to rogues, who hope to escape from justice by running through my lines.

If persons are condemned to be shot by Federal authority, the proceedings should be approved by the President, but no case of this sort has arisen under my administration.

I have the honor to be, general, very respectfully, your obedient servant,

SAML. R. CURTIS,
Major-General.

[Inclosure.]

Vindication of General McNeil.

HEADQUARTERS PROVOST-MARSHAL,
Palmyra, Mo., December 10, 1862.

EDITOR OF THE NEW YORK TIMES.

Noticing in your issue of December 1 an extended extract from foreign papers, accompanied by an editorial, upon the execution of ten rebels at this place, which and editorial appear based upon an entire misconstruction of the facts of the case and thereby casting grave censure upon a meritorious officer, I am led (having at the time an opportunity of knowing everything connected with the execution), out of regard to the truth of history, and to do justice to General McNeil, to address you on the subject. It is very difficult for men removed thousands of miles from the scene of action—men who are placed in a locality where law and order prevail, where loyalty is universal—to begin even to appreciate slightly the enormities, the malice, the enormous crimes, the treacheries, the assassinations, the perpetration of which invariably have characterized those, especially in Missouri, who have sworn to arms avowedly to destroy their Government.

Mr. Editor, here in Missouri our Government commenced by extending to the rebels in our midst every kindness and a degree of clemency that soon proved to be much safer in every part of our State to be a rebel than to be a Union man. Every neighborhood was coerced, while the Government was maintaining in the State a large force, at no time less than 50,000 men, and often largely exceeding those figures. Still treason continued rampant, traitors publicly held up to the clemency with which they were treated, regarding it as proof and confirmation of the weakness of the Government that she dare not hurt anyone. Union men and their families were forced to leave their homes and their all and fly for refuge on and for life to the loyal States. I have seen hundreds of wagons on their way to Illinois and other States—families who had lived in independent circumstances forced to live on cornmeal and water and beg their way along.

Union troops, by their kindness, were absolutely offering a premium to treason and crime. Their presence, under the orders they were forced to act on, became, instead of protection, absolutely a terrible evil. Union men dared not give the troops any aid; assassination was sure to follow. Things went on from bad to worse. Scoundrels began the innocent pastime of shooting into passenger cars, of blowing up railroad bridges, not as a military necessity, but for the sole purpose of murdering hundreds of noncombatants were crippled and murdered—wives made insane by the enormous outrages they committed. Some of the men perpetrating these hideous crimes were caught. I participated in the action of the commission appointed to try them.

Many were proved guilty and sentenced to be shot; the sentence approved by General Halleck, commanding Department of the Mississippi; that sentence delayed in execution, and not carried out to this day. Some of these miscreants have even been pardoned once more. Such clemency proved to be the most horrid cruelty. Fortunate of our State who, in their heart of hearts, held that loyalty to their Government was a sacred and holy duty that they could not cast aside, began to look upon the whole in surprise and horror. Will our Government never understand our position? Will it continue to strengthen the cause of the robbers and murderers?

What is to become of us? Stout-hearted men, whose families would not permit of leaving, sat down in the midst of their household gods and shed tears of hopeless agony.

Midnight parties had come around and absolutely disarmed every man of even half-way loyalty. Their horses and wagons, their only available means of transport, were stolen from them. During this time our troops would take prisoner after prisoner. I myself, acting as provost-marshal-general of the district of northeastern Missouri, administered the oath of allegiance to several thousand traitors, and took bonds for observance of the oath to the amount of over \$1,000,000; still, no stop to the outrages of the rebels. Finally General Schofield, whom all who know must admit to be a gentleman of remarkable kindness of heart, began to come up to the exigency of the times, and issued General Orders, No. 18, an extract from which appears hereinafter. That order has, I believe, never been countermanded, and is in force to this day.

As a specimen of our situation, let me inform you that an old Baptist preacher, named Wheat, was murdered by a rebel gang within 5 or 6 miles of Palmyra, his body mutilated and his person robbed of some \$800; that a farmer named Carter, living in an adjoining county, suspected of having given information which led to the arrest of a notorious bridge burner and railroad destroyer, was shot in his own dooryard and in the presence of his wife and children; that a Mr. Preston, living but a few miles from the same neighborhood, was taken off by a gang of these men, whom you seem desirous of recognizing as honorable belligerents, and murdered, leaving an amiable wife and four very interesting little children to cry for vengeance upon the assassins of their father. A Mr. Pratt, living a few miles north of Palmyra, a very intelligent farmer, unfortunately an emigrant from Massachusetts, and a man of the very highest moral character, but guilty of being an unswerving Union man, was murdered, leaving a widow and six children to mourn his loss.

A Mr. Spires, an aged man, over seventy years, one of the oldest citizens of Shelby County (adjoining the county of which Palmyra is the shire-town), was taken from his house and hung, and his body mutilated. Other citizens of that county, and those of the highest standing, were taken out and hung until life was nearly extinct. A man named Spaight was taken out, stripped, and brutally whipped. A large body of these rebels went into the town of Canton, in Lewis County, a town not garrisoned, and murdered William Carnegie, a leading merchant and universally respected, but tainted to them with the leprosy of loyalty. Porter, at the head of several thousand of these guerrillas, went into Memphis, also not garrisoned, seized a Dr. Aylward, the prominent Union man of that locality, and hung him, with a halter made of hickory bark, until he was dead.

I could give a long list of crimes, the most horrid committed by these scoundrels, that would even make fiends in hell shudder. Their robberies and devastations, yet, in New York, can not even conceive of; but when I say there were thousands upon thousands of these men; that they had no money; that they subsisted wholly by robbery, you may approximate toward an estimate; and all this in a State that refused to secede from the Union, hundreds of miles inside of the Federal lines. General McNeil with a small force was pursuing them, not like the advance of a force in all the "pomp and circumstance of glorious war," but at the rate of 45 miles per day, often camping at 10 p. m., and breaking camp at 2 a. m. Finally he caught them at Kirksville, and effectually crushed them, the guerrillas losing over 700 men, killed and wounded. The next day 15 men, caught with arms in their hands, murder in their hearts, and the oath of allegiance to the United States Government in their pockets, were tried and shot.

In the particular case of Andrew Allsman, he was a man upward of 60 years of age, taken from his family and murdered. Of the ten men executed, one of them was one of the party who murdered Mr. Pratt, above alluded to. The other nine men were all caught with arms, and all of them had been once pardoned for their former treason by taking the oath of allegiance to the United States, and had deliberately perjured themselves by going out again—the very oath they took expressly stipulating that "death would be the penalty for a violation of this their solemn oath and parole of honor." Now, sir, are such men entitled to the consideration of honorable warfare (as you seem to think in your criticisms), or are they not rather to be treated as outlaws and beyond the pale of civilization? And, sir, living as we do in Missouri, in times of red revolution, assassination, rapine, in violation of all laws, both human and divine, acts of justice necessarily assume the garb of severity, and the more severe to the criminal the more merciful to the community. And now, in view of the facts that I have alluded to, publishing as you do a loyal paper in a loyal State, a thousand miles removed from the scenes of these outrages, can you with-

ly join in the howl raised by the full-fledged and semitraitors in our midst against him or any other acts that insure the punishment of treason and traitors? Had one-half the severity practiced by the rebels on the Union men of Tennessee, Kansas, and Missouri been meted out in return to them, every trace of treason and crime this have been abolished from our land. Good cause have the rebels to grumble at that which blasts at once every prospect they might have had for future success. What is war? Is it anything but retaliation? Must we allow our allies, the enemies of liberty and republicanism, to outrage all the laws of war, and take some steps to show them the propriety of adhering to those laws? emissaries from the rebellious States have come into our midst, forming secret associations, warning citizens of a State that would not secede from the Union not to respect any prior obligation made to the Federal Government. Men enjoying the disgrace of a mission from the rebel Government have traveled through our land, hundreds of miles inside of the Federal lines, swearing men, singly and in squads, by stealth and in secret, into the Confederate service, with instructions to go home and wait to be called on. These men, thus sworn in, continued day by day to pass themselves as loyal citizens, while by night they turned out and harassed their Union neighbors.

Suppose officers from the Confederate Army should go through New York recruiting in the same manner, or suppose Federal officers in disguise should visit Georgia and commence raising bodies of men, ostensibly for Government service, but in reality to create disturbance in the community—to rob, murder, and destroy—what threat would they receive? Would shooting them or hanging them be considered a butchery? Was Washington, when he signed the order for the execution of Dr. Anderson, to be considered the original Haymarket?

Mr. Editor, if you could have been a witness to many scenes that attended General Scott's visit to the various posts of his district, made but two weeks since, when he traversed the whole country on horseback, attended by but two orderlies, when old men would come out of their rattling houses, shake hands with the General, call down blessings upon him, ask him to delay so that their wives could come out and thank him for extending justice, which had enabled them to come back once more to their nests, instead of indulging in editorials so harshly condemnatory of that which you do not understand, I think you would have taken if you had just perceived the principle which must prevail to crush this rebellion, and bring back to us our fast fading prosperity. We, here in the West, have been forced to realize the horrors of revolution. They have been forced on the loyal men of Missouri against their will and in spite of the efforts of the Federal Government. In addition, we think we are fighting a battle for the world, for humanity, for civilization, for religion, for the honor of our forefathers, for republics—a battle in which the welfare of the flocks of sons of men who are to come after us in every age and country is at stake. General McNeil has even in the early part of this terrible war been censured from headquarters for being too lenient toward the rebels. Time and experience proved him that in order to save bloodshed it was necessary to show some examples of the punishment, and the result, in giving security to persons and property of all men in our section, has amply justified the steps taken by him. Do you suppose that a rebellion, that in this late day has ventured to enslave the sweating slave for savage and seditious service, that commenced in fraud, that has sustained itself from continued fraud, by robbery, that has practiced extermination and banishment—confiscation toward citizens that ventured to remain true to their original allegiance, can be put down without somebody being hurt? Let me ask of you to do justice to a kind and brave fellow, who has simply dared to do his duty, and in doing so has obtained the thanks and warmest feelings of gratitude from every loyal man in them Missouri. Suppose I might go just as I did into the American Haymarket. Let the Government court of regard for the feelings of a grateful people, emulate the example of Austria, who created Haymarket a marshal of the Empire, and give to General McNeil a division, with permission to go down into Dixie and bid Jefferson Davis come and take him. Take my word for it, thousands upon thousands of the loyal sons of the West will then set his standard, and treason upon the sunny peaks of the South will find at last that so large a crowd which it so well merits.

His return to our midst sets our eyes exclusively to the American people, and reminds us that the late based upon political principles, opposed to our own, cannot be right in interference that disinterestedness would give. The reason given for the rebellion, his criticisms and his opinions, are therefore, alike immaterial. Nations do not bear political decisions and efforts are rarely governed by anything but the interests of the nation, no matter how loud they exult about their virtues. And such have been seen in the London Times, Standard and other English papers, come with a full and complete Government that justified the hanging of Sepoys to the cannon's mouth, and

blowing their mangled bodies in fragments through the air—the outrages by those Sepoys not being one iota greater than those committed by those of our land; with this difference, that the one was the work of ignorance and religious fanaticism, performed by an enslaved and half-civilized race, while the other, and the murders have claimed to be our brothers, are enlightened, enjoy rights and privileges that we have enjoyed, and in a day could, as it were, be themselves and our whole country in the possession and enjoyment not only of peace and harmony, but of all the rights, privileges, and independence that freemen should enjoy. These terrible “butcheries” (i. e., the just punishing of assassins, and violators of parole) have finally restored safety here.

Since the public execution of the ten men at Palmyra, not a murder nor personal outrage to a Union man has been committed in northeastern Missouri since the rebels learned what would be the price of a Union man’s life, three months ago, for it is that time since official notice was served on them of what would be done if Allsman was not returned to his home, and that the decimal system would be carried out for each loyal noncombatant that should subsequently be killed by them, so long as guerrillas could be found in the district. “Verily a tree is known by its fruits.” A wise punishment has once more enabled the Union to peace to hover over our households unterrified. Guerrillas in this district have had their vocation gone. Traitors began at last to recognize that the oath they had taken meant something. They scattered for security through Illinois, and even there they did not cease their career of crime. It was but yesterday that I delivered to the authorities of Pike County, Ill., three young men raised in this county, and of respectable (so far as wealth and intelligence goes), but not loyal, families, members of Porter’s guerrillas, who had been with him in every action.

When a proposition is made to them to murder an aged farmer who has hospitably extended to them the hospitalities of his house they never shrink from indignation, but coolly proceed to commit a murder that for atrocity and cruelty has not been exceeded throughout the annals of crime. You will, in the paper of this date, see the confession of one of these three specimens of Southern chivalry. If the authorities of Illinois proceed to execute these three murderers in retaliation for the murder of Mr. Pearson, a ratio of three for one, will it be cause for an editorial against those authorities? Say not, Mr. Editor, that the law should be one of the civil law, for it occurs in Illinois. In Missouri these scoundrels who object to having punished had by their conduct destroyed the last vestige of civil law. Martial law was the only protection citizens had, and by that law these men were publicly and lawfully executed. For martial law in Missouri, see the orders of this department. Read also the following:

GENERAL ORDERS, }
No. 2.

HEADQUARTERS DEPARTMENT OF THE MISSOURI
St. Louis, March 3,

* * * * *

III. Evidence has been received at these headquarters that Maj. Gen. Price has issued commissions or licenses to certain bandits in this State authorizing them to raise guerrilla forces for the purpose of plunder and marauding. Gen. Price ought to know that such a course is contrary to the rules of civilized warfare and that every man who enlists in such an organization forfeits his life and becomes an outlaw. All persons are hereby warned that if they join any guerrilla band they will not, if captured, be treated as prisoners of war, but will be hung as robber-murderers. Their lives shall atone for the barbarity of their general.

By command of Major-General Halleck:

N. H. McLEAS,
Assistant Adjutant-General

Also see General Orders, Nos. 13 and 32, issued by General Halleck, and General Orders, No. 18, issued by General Schofield, of which the following is an extract.

The Government is willing and can afford to be magnanimous in its treatment of those who are tired of the rebellion and desire to become loyal citizens and to see the restoration of peace and prosperity of the country; but it will not tolerate those who still persist in their wicked efforts to prevent the restoration of peace, and who have failed to maintain legitimate war. The time is past when insurrection and rebellion in Missouri can cloak itself under the guise of honorable warfare. Utmost vigilance and energy are enjoined upon all the troops of the State in the suppression and destroying these robbers and assassins. When caught in arms engaged in this unlawful warfare, they will be shot down upon the spot.

In conclusion, Mr. Editor, if you are correct in your denunciation of what you term a “butchery,” do not waste your anathemas upon General McNeil alone, but

saw proper to teach traitors that the life of an unarmed noncombatant Union man, loyal citizen of the United States, was a sacred thing—that murderers should not take it with impunity—but bestow some of it upon equally gallant and meritorious officers like General Merrill, who executed 10 of those perjured scoundrels at Macon, Ky., and General Schofield, who issued Orders No. 18, or General Halleck, whose orders touching bridge-burners and guerrillas I had supposed until now even the editor of the Times approved of.

WM. R. STRACHAN,
Provost-Marshal, Palmyra.

[Official Records, Series I, Vol. XXII, Part I, p. 865.]

GENERAL ORDERS, } HEADQUARTERS DEPARTMENT OF THE MISSISSIPPI,
No. 2. } St. Louis, March 3, 1862.

III. Evidence has been received at these headquarters that Maj. Gen. Sterling Price has issued commissions or licenses to certain bandits in this State, authorizing them to raise guerrilla forces for the purpose of plunder and marauding. General Price ought to know that such a course is contrary to the rules of civilized warfare, and that every man who enlists in such an organization forfeits his life and becomes an outlaw. All persons are hereby warned that if they join any guerrilla band they will not, if captured, be treated as prisoners of war, but will be hung as robbers and murderers. Their lives shall atone for the barbarity of their general.
By command of Major-General Halleck:

N. H. McLEAN,
Assistant Adjutant-General.

[Official Records, Series I, Vol. XXII, Part II, p. 373.]

GENERAL ORDERS, } HEADQUARTERS DISTRICT OF SOUTHWESTERN MISSOURI,
No. 15. } Springfield, Mo., July 15, 1863.

I. Pursuant to Special Orders, No. 177, from Headquarters Department of the Missouri, the undersigned hereby assumes command of this military district, as now extended "to include the western tier of counties of Missouri south of the present northern limit of this district."

II. As military commandant of this district, I shall require of every officer and soldier a strict maintenance of discipline and military order, as prescribed by Army Regulations, and implicit obedience to all orders now in force or hereafter to be promulgated.

III. Protection will be given to each and every loyal citizen of the district to the extent of the means at my command. To that unfortunate class of citizens who, from the outbreak of this wicked rebellion, faltered in their duty to their country and Government, but who now, finding that the Government is not only able to protect the loyal but also has ample power to coerce and punish the disloyal and delinquent, are content to renew their obligations of loyalty, and to live in peace with their old neighbors, giving a positive, active, and sympathetic support to the Government of the United States, the same protection will be extended as though they never erred.

IV. While desiring to act with all proper leniency toward those who, convinced of great wrong and error of their conduct, shall voluntarily surrender themselves and their arms, I shall pursue, with untiring vigilance, all guerrilla bands, marauders, bushwhackers, and when taken they will be summarily dealt with. All recruiting or any other class of persons claiming connection with the army of the Southern Confederacy, when arrested within the limits of this military district, will be considered and treated as spies of the enemy, it being the determination of the district commander, in accordance with instructions from department headquarters, to take steps to insure the supremacy of the civil law. When the courts are held in every county of the district, when every process of law can be executed, when men can follow the ordinary vocations of industry in peace, and, consequently, business shall have resumed its wonted course, you will have no longer need of military protection. I earnestly invoke the aid of every citizen in procuring this condition of affairs, desiring no higher honor than that of restoring peace to this district.

V. Capt. C. G. Laurant is announced as the assistant adjutant-general of the district, and he will be obeyed and respected accordingly. All reports and communications respecting district business will be addressed to him at his quarters.

VI. All orders issued by the late commander of this district will remain in force until further orders.

JOHN MC
Brigadier-General, Commanding District of Southwestern

[Official Records, Series I, Vol. XXII, Part II, pp. 460, 461.]

GENERAL ORDERS, }
No. 10.

HEADQUARTERS DISTRICT OF THE BORDER,
Kansas City, Mo., August

I. Officers commanding companies and detachments will give escort and protection, as far as practicable, through that part of Missouri included in this district, to all loyal free persons desiring to remove to the State of Kansas or to military stations in Missouri, including all persons who have been ascertained in a proper manner provided in General Orders, No. 9, of this district to have been disloyal or persons engaged in aiding the rebellion since July 17, 1862. Where no teams of persons who have aided the rebellion since September 25, 1862, are taken to help such removal, and after being used for that purpose, will be turned over to the officer commanding the nearest military station, who will at once send them to an assistant provost-marshal or to the district provost-marshal, and will keep them subject to his orders.

II. Such officers will arrest, and send to the district provost-marshal for confinement, all men (and all women not heads of families) who willfully aid and abet guerrillas, with a written statement of the names and residences of such persons and of the proof against them. They will discriminate as carefully as possible between those who are compelled, by threats or fears, to aid the rebels and those who do so from disloyal motives. The wives and children of known guerrillas, and women who are heads of families and are willfully engaged in aiding guerrillas, will be notified by such officers to remove out of this district and out of the State of Missouri forthwith. They will be permitted to take, unmolested, their stock, personal and household goods. If they fail to remove promptly they will be sent, by such officers, under escort, to Kansas City for shipment south, with their clothes and necessary household furniture and provision as may be worth removing.

III. Persons who have borne arms against the Government, and voluntarily lay down their arms and surrender themselves at a military station, will be sent, under escort, to the district provost-marshal at these headquarters. Such persons will be held with their families, to such State or district out of this department as the commanding officer of the department may direct, and will there remain exempt from military punishment on account of their past disloyalty, but not exempt from trial for treason.

IV. No officer or enlisted man, without special instructions from these headquarters, will burn or destroy any buildings, fences, crops, or other property, but all buildings and fixtures of blacksmiths' shops in that part of Missouri included in this district not at military stations will be destroyed, and the tools either removed to such stations or destroyed.

V. Commanders of companies and detachments serving in Missouri will not permit persons not in the military service of the United States to accompany them, except when employed as guides, and will be held responsible for the good conduct of such men employed as guides, and for their obedience to orders.

VI. Officers and enlisted men belonging to regiments or companies, organized or unorganized, are prohibited going from Kansas to the District of Northern Missouri without written permission or order from these headquarters or from the assistant provost-marshal at Leavenworth City, or the commanding officer at Fort Leavenworth, or some officer commanding a military station in the District of Northern Missouri.

By order of Brigadier-General Ewing:

P. B. FURNES
Major and Chaplain

[Official Records, Series I, Vol. XXII, Part II, p. 473.]

ORDERS, }
11. }

HEADQUARTERS DISTRICT OF THE BORDER,
Kansas City, Mo., August 25, 1863.

Persons living in Jackson, Cass, and Bates counties, Missouri, and in that portion included in this district, except those living within 1 mile of the Independence, Hickman Mills, Pleasant Hill, and Harrisonville, and in that part of Kaw Township, Jackson County, north of Brush Creek of the Big Blue, are hereby ordered to remove from their present places of residence within fifteen days from the date hereof. Those who, within that time, have their loyalty to the satisfaction of the commanding officer of the military district at their present places of residence will receive from him certificates to the fact of their loyalty, and the names of the witnesses by whom it can be proved. All who receive such certificates will be permitted to remove to any military post in this district, or to any part of the State of Kansas, except the counties on the western border of the State. All others shall remove out of this district. Companies and detachments serving in the counties named will comply with this paragraph as promptly obeyed.

Grain and hay in the field or under shelter in the district from which persons are required to remove within reach of military stations after the 9th of September next will be taken to such stations and turned over to the proper authorities, and report of the amount so turned over made to district headquarters. The names of all loyal owners and the amount of such produce taken from the district grain and hay found in such district after the 9th day of September next will be destroyed.

The provisions of General Orders, No. 10, from these headquarters will be at once executed by officers commanding in the parts of the district and at no time is not subject to the operation of Paragraph I of this order, and especially in the cases of Independence, Westport, and Kansas City.

Paragraph III, General Orders, No. 10, is revoked as to all who have borne arms against the Government in this district since the 21st day of August, 1863.

By order of Brigadier-General Ewing:

H. HANNAH,
Acting Assistant Adjutant-General.

[Official Records, Series I, Vol. XXII, Part II, pp. 474, 475.]

ORDERS, }
48. }

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
St. Louis, August 25, 1863.

Thousands of men are leaving the broken rebel armies in the Mississippi and returning to Missouri. Many of them, doubtless, come back with the intention of following a career of plunder and murder under the form of guerrilla warfare. Others would gladly return to their homes as peaceable citizens, if permitted to do so and protected from violence.

The country is in danger of a repetition of the scenes of violence and bloodshed which characterized the months of July and August, 1862. The united efforts of all loyal and peaceably disposed citizens, as well as of the troops of this department, will be required to avert this evil.

It is the desire of the commanding general that all those who voluntarily abandon the rebel cause and desire to return to their allegiance to the United States shall be permitted to do so, under such restrictions as the public peace shall require. All persons may surrender themselves and their arms at the nearest military post, and be released upon taking the oath of allegiance and giving bond for their good conduct. They will be required to reside in such portion of Missouri or elsewhere as the provost-marshal who releases them shall direct.

Those who shall fail to comply with these conditions, and shall remain within our lines without renewing their allegiance, will be treated as criminals according to the laws of the country. Those who shall engage in robbery, murder, or other similar crimes shall be terminated without mercy.

The country demands of every citizen active and earnest cooperation with the military authorities in putting down these common enemies of mankind. The commanding general demands of every citizen the full discharge of his duty in this regard. Those who neglect it will be held responsible in their persons and property for any damage that may result from their neglect and will be punished at the discretion of the military commission. If milder means shall fail, the commanding general

will order the destruction or seizure of all houses, barns, provisions, and other property belonging to disloyal persons in those portions of the State which are haunts of guerrillas.

To enable them to protect themselves from violence and to aid the troops necessary, all loyal and peaceable citizens in Missouri will be permitted to return. As far as practicable, arms which have heretofore been taken from citizens will be returned to them.

By command of Major-General Schofield:

C. W. MA
Assistant Adjutant-General

[Official Records, Series I, Vol. XXII, Part II, p. 481.]

HEADQUARTERS DISTRICT SOUTHEAST MISSOURI
Pilot Knob, Mo., August 1, 1862.

Major MONTGOMERY, *Bloomfield, Mo.*:

The capture of Jeff. Thompson, the Swamp Fox, will call all the little fellows in the southeast from their holes. They will undertake to match us in some way. Be the alert constantly; keep every man and horse on a war footing. Take no prisoners, and there are no regular Confederate soldiers in this district. What condition are your earthworks? Sumter has fallen. The old flag which flew from its parapet when the brave General Anderson was forced to surrender at Charleston devils has been planted on the ruins of the fort by General Sherman. Praise God for that! We shall soon hear of the fall of Charleston.

CLINTON B. F.
Brigadier-General, Commanding

[Official Records, Series I, Vol. XXXVII, Part I, p. 557.]

HEADQUARTERS DEPARTMENT OF WEST VIRGINIA
In the Field, at Rudes Hill, Va., May 3, 1862.

Maj. T. QUINN,
Commanding First New York Cavalry.

MAJOR: You will detail from your command 200 men, with the proper number of commissioned officers, to proceed to Newtown to-morrow morning at 3 o'clock for the purpose of burning every house, store, and outbuilding in that place, except churches and the houses and outbuildings of those who are known to be loyal citizens of the United States. You will also burn the houses, etc., of all rebels in Newtown and Middletown. You will spare the house and premises of Dr. Smith at Newtown, he having been very kind to our wounded soldiers; and the burning of the house of a rebel would endanger the property of a loyal citizen. The house or outbuildings of the rebel shall not be burned. You will report back to your headquarters, making a written report of the expedition.

This by command of the major-general commanding.

I am, Major, very obediently, yours,

P. G. BIRNEY
Assistant Adjutant-General

[Official Records, Series I, Vol. XXXVIII, Part IV, p. 579.]

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI
In the Field, Big Shanty, Ga., June 25, 1862.

Maj. Gen. J. B. STEEDMAN,
Commanding District of the Etowah, Chattanooga.

GENERAL: As the question may arise, and you have a right to the superior authority, I now decide that the use of the torpedo is justifiable in war in the hands of an army, so as to make his advance up a river or over a road more difficult. But after the adversary has gained the country by fair warlike means, the case entirely changes. The use of torpedoes in blowing up our cars and bridges after they are in our possession is simply malicious. It can not alter the general result, but simply makes trouble. Now, if torpedoes are found in the possession of an enemy to our rear, you may cause them to be put on the ground and tested by loads of prisoners, or, if need be, citizens implicated in their use. In like manner

pedo is suspected on any part of the road, order the point to be tested by a car of prisoners, or citizens implicated, drawn by a long rope. Of course an enemy not complain of his own traps.

I am, etc.,

W. T. SHERMAN,
Major-General, Commanding.

[Official Records, Series I, Vol. XXXIX, Part II, pp. 135, 136.]

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,
Big Sandy, Ga., June 21, 1864.

General BURBRIDGE,
Commanding District of Kentucky.

GENERAL: The recent raid of Morgan and the concurrent acts of men styling themselves Confederate partisans or guerrillas call for determined action on your part. In the southern "States Rights" theory Kentucky has not seceded. Her people, by their vote and by their actions have adhered to their allegiance to the National Government, and the South would now coerce her out of our Union and into theirs, a very dogma of coercion upon which so much stress was laid at the outset of war and which carried into rebellion the people of the middle or border slave States. But politics aside, these acts of the so-called partisans or guerrillas are nothing but simple murder, horse stealing, arson, and other well-defined crimes, which do sound as well under their true names as the more agreeable ones of warlike raiding.

Now, before starting on this campaign, I foresaw, as you remember, that this very thing would arise, and I asked Governor Bramlette to at once organize in each county a reliable, trustworthy band, under the sheriff, if possible, and at one dash arrest every villain in the community who was dangerous to it, and also every fellow hanging about towns, villages, and crossroads who had no honest calling, the material out of which guerrillas are made up, but this sweeping exhibition of power doubtless seemed to the governor rather arbitrary. The fact is in our country personal liberty has been so well secured that public safety is lost sight of in our laws and constitutions, and the fact is we are thrown back a hundred years in civilization, law, and everything else, and will go right straight to anarchy and the devil if somebody does not arrest our downward progress. We, the military, must do it, and we have the force and law on our side. All governments and communities have a right to guard against real or even supposed danger.

The whole people of Kentucky must not be kept in a state of suspense and real danger lest a few innocent men should be wrongfully accused. First. You may inform all your post and district commanders that guerrillas are not soldiers, but lawless beasts, unknown to the usages of war. To be recognized as soldiers they must be enlisted, enrolled, officered, uniformed, armed, and equipped by some recognized belligerent power, and must, if detached from a main army, be of sufficient strength, with written orders from some army commander, to do some military thing. Of course, we have recognized the Confederate government as a belligerent power, but deny their right to our lands, territories, rivers, coasts, and nationality, fitting the right to rebel and move to some other country where laws and customs are more in accordance with their own ideas and prejudices. Second. The civil power being insufficient to protect life and property *ex necessitate rei*, to prevent robbery, "which nature abhors," the military steps in, and is rightful, constitutional, and lawful.

Under this law everybody can be made to "stay at home and mind his and her own business," and, if they won't do that, can be sent away where they won't keep their honest neighbors in fear of danger, robbery, and insult. Third. Your military commanders, provost-m Marshals, and other agents may arrest all males and females who have encouraged or harbored guerrillas and robbers, and you may cause them to be collected in Louisville, and when you have enough, say 300 or 400, I will cause them to be sent down the Mississippi through their guerrilla gauntlet, and by a sailing ship send them to a land where they may take their negroes and make a colony for themselves and a future of their own. If they won't live in peace in such a garden as Kentucky, why we will kindly send them to another, if not a better land, and surely it would be a kindness and a God's blessing to Kentucky.

I wish you to be careful that no personalities are mixed up in this, nor does a full and generous love of country, "of the South," of their State or county form a cause for banishment, but that devilish spirit which will not be satisfied and that makes the pretext for murder, arson, theft in all its grades, perjury, and all the crimes

of human nature. My own preference was and is that the civil authorities of Kentucky would and could do this in that State, but if they will not or can not, then we must; for it must be done. There must be an "end to strife," and the honest, industrious people of Kentucky, and the whole world, will be benefited and rejoiced at the conclusion, however arrived at. I use no concealment in saying that I do not object to men or women having what they call "Southern feelings," if confined to love of country, and of peace, honor, and security, and even of little family pride, but these become "crime" when enlarged to mean love of murder, of war, destruction, famine, and all the horrid attendants of anarchy.

I am, with respect, your friend,

W. T. SHERMAN,
Major-General, Commanding.

[Official Records, Series I, Vol. XXXIX, Part II, p. 174.]

GENERAL ORDERS, }
No. 59. }

HEADQUARTERS DISTRICT OF KENTUCKY, AND
FIFTH DIVISION, TWENTY-THIRD ARMY CORPS,
Lexington, Ky., July 15, 1864.

The rapid increase in this district of lawless bands of armed men engaged in interrupting railroad and telegraphic communications, plundering and murdering peaceful Union citizens, destroying the mails, etc., calls for the adoption of stringent measures on the part of the military authorities for their suppression. Therefore all guerrillas, armed prowlers, by whatever name they may be known, and rebel sympathizers are hereby admonished that in future stern retaliatory measures will be adopted and strictly enforced whenever the lives or property of peaceful citizens are jeopardized by the lawless acts of such men.

Rebel sympathizers living within 5 miles of any scene of outrage committed by armed men, not recognized as public enemies by the rules and usages of war, will be arrested and sent beyond the limits of the United States, in accordance with instructions from the major-general commanding the military division of the Mississippi. So much of the property of rebel sympathizers as may be necessary to indemnify the Government or loyal citizens for losses incurred by the acts of such lawless men will be seized and appropriated for this purpose. Whenever an unarmed Union citizen is murdered four guerrillas will be selected from the prisoners in the hands of the military authorities and publicly shot to death in the most convenient place near the scene of outrage.

By command of Bvt. Maj. Gen. S. G. Burbridge:

J. BATES DICKSON,
Captain and Assistant Adjutant-General.

[Official Records, Series I, Vol. XXXIX, Part II, p. 356.]

SPECIAL FIELD ORDERS, }
No. 70. }

HDQRS. MIL. DIV. OF THE MISSISSIPPI
In the Field, Atlanta, Ga., September 14, 1864.

I. Pursuant to an agreement between Gen. J. B. Hood, commanding the Confederate forces in Georgia, and Maj. Gen. W. T. Sherman, commanding this army, a truce is hereby declared to exist from daylight of Monday, September 12, until daylight of Thursday, September 22, being ten full days, at the point on the Marietta Road known as Rough and Ready, and the country round about for a circle of 2 miles radius, together with the roads leading to and from in the direction of Atlanta and Lovejoy's Station, respectively, for the purpose of affording the people of Atlanta safe means of removal to points south.

II. The chief quartermaster at Atlanta, Colonel Easton, will afford all the people of Atlanta who elect to go south all the facilities he can spare to remove them comfortably and safely, with their effects, to Rough and Ready, using cars and wagons and ambulances for that purpose, and commanders of regiments and brigades will use their regimental and staff teams to carry out the object of this order. This order to cease after Wednesday, the 21st instant.

III. Major-General Thomas will cause a guard to be established on the road beyond the camp ground, with orders to allow all wagons and vehicles to pass if they are manifestly used for this purpose without undue search, and Major-General H. will send a guard of 100 men, with a field officer in command, to take post at Rough and Ready during the truce, with orders, in concert with a guard of like number of the Confederate army, to maintain the most perfect order in that vicinity during the

transfer of these families. A white flag will be displayed during the truce, and the guard will cause all wagons to leave at 4 p. m. of Wednesday, the 21st, and the guard to withdraw at dark, the truce to terminate the next morning.

By order of Maj. Gen. W. T. Sherman:

L. M. DAYTON, *Aid-de-Camp.*

[Official Records, Series I, Vol. XXXIX, Part III, p. 741.]

HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI,
In the Field, Kingston, Ga., November 11, 1864.

Capt. O. M. POE, *Atlanta, Ga.:*

You may commence the work of destruction at once, but don't use fire until toward the last moment.

W. T. SHERMAN, *Major-General.*

[Official Records, Series I, Vol. XLIII, Part I, pp. 916, 917.]

CITY POINT, VA., *August 26, 1864—2.30 p. m.*
(*Received 12.10 a. m. 27th.*)

Major-General SHERIDAN, *Halltown, Va.:*

I telegraphed you that I had good reason for believing that Fitz Lee had been ordered back here. I now think it likely that all troops will be ordered back from the valley except what they believe to be the minimum number to detain you. My reason for supposing this is based upon the fact that yielding up the Weldon road seems to be a blow to the enemy he can not stand. I think I do not overstate the loss of the enemy in the last two weeks at 10,000 killed and wounded. We have lost heavily, mostly in captured, when the enemy gained temporary advantages. Watch closely, and if you find this theory correct push with all vigor. Give the enemy no rest, and if it is possible to follow to the Virginia Central road, follow that far. Do all the damage to railroads and crops you can. Carry off stock of all descriptions, and negroes, so as to prevent further planting. If the war is to last another year, we want the Shenandoah Valley to remain a barren waste.

U. S. GRANT, *Lieutenant-General.*

[Official Records, Series I, Vol. XLIII, Part II, p. 292.]

HEADQUARTERS MIDDLE MILITARY DIVISION,
Harrisonburg, September 28, 1864—10.30 p. m.

Brig. Gen. W. MERRITT,
Commanding First Cavalry Division.

GENERAL: The major-general commanding directs that you leave a small force at Swift Run and Browns Gaps, to watch said gaps, and with the balance of your own and Custer's division swing around through or near Piedmont, extending toward and as near Staunton as possible. Destroy all mills, all grain and forage, you can, drive off or kill all stock, and otherwise carry out the instructions of Lieutenant-General Grant, an extract of which is sent you, and which means, "leave the valley a barren waste." In carrying out these instructions, no villages or private houses will be burned. Camp close to the left of the infantry at Mount Crawford to-morrow night. The Sixth and Nineteenth Army Corps will move to Mount Crawford to-morrow.

Very respectfully, your obedient servant,

Jas. W. FORSYTH,
Lieutenant-Colonel and Chief of Staff.

[Official Records, Series I, Vol. XLIII, Part II, pp. 307, 308.]

WOODS, VA., *October 7, 1864—9 p. m.* (*Received 9th.*)

Lieut. Gen. U. S. GRANT,
Commanding Armies of the United States.

I have the honor to report my command at this point to-night. I commenced moving back from Port Republic, Mount Crawford, Bridgewater, and Harrisburg

yesterday morning. The grain and forage in advance of these points up to Stanton had previously been destroyed. In moving back to this point the whole country from the Blue Ridge to the North Mountains has been made untenable for a rebel army. I have destroyed over 2,000 barns, filled with wheat, hay, and farming implements; over 70 mills, filled with flour and wheat; have driven in front of the army over 4[000] head of stock, and have killed and issued to the troops more than 3,000 sheep. This destruction embraces the Luray Valley and Little Luray Valley, as well as the main valley. A large number of horses have been obtained, a proper estimate of which I can not now make. Lieut. John R. Meigs, my eldest officer, was murdered beyond Harrisonburg, near Dayton. For this atrocious act the houses within an area of 5 miles were burned.

Since I came into the valley, from Harpers Ferry up to Harrisonburg, every small party, and every straggler has been bushwhacked by people, many of whom have protection papers from commanders who have been hitherto in the valley. From the vicinity of Harrisonburg over 400 wagon loads of refugees have been sent back to Martinsburg; most of these people were Dunkers, and had been conscripted. The people here are getting sick of the war; heretofore they have had no reason to complain, because they have been living in great abundance. I have not been followed by the enemy up to this point, with the exception of a small party of rebel cavalry that showed themselves some distance behind my rear guard. A party of 100 of the Eighth Ohio Cavalry, which I had stationed at the bridge on the North Shenandoah, near Mount Jackson, was attacked by McNeill, with 175 men, report they were asleep, and the whole party dispersed or captured. I think they will all turn up. I learned that 56 of them have reached Winchester. McNeill was mortally wounded and fell into our hands. This was fortunate, as he was the most daring and dangerous of all the bushwhackers in this section of the country. I would have preferred sending troops to you by the Baltimore and Ohio Railroad, but it would have been the quickest and most concealed way of sending them.

The keeping open of the road to Front Royal will require large guards to protect against a very small number of partisan troops; it also obliges me to have a large train, if it is to be kept open, to bridge the Shenandoah and keep up communication with Winchester. However, in a day or two I can tell better. I sent a party of cavalry through Thorntons Gap, and directed the balance of the division of cavalry which I have left in the valley to take position at Millwood, occupying Chestertown and Front Royal. Thorntons Gap I have given up, as of no value. With the present position of forces, I will move infantry round the mountains, via Strasburg, as far as possible. To-morrow I will continue the destruction of wheat, forage, &c. up to Fishers Hill. When this is completed the valley, from Winchester up to Stanton, 92 miles, will have but little in it for man or beast. In previous dispatches I have used "lower valley" when I should have said "upper valley." In other words, in my last dispatch I intended to say that the grain and forage from Stanton to Strasburg had been sent to Richmond, and that the grain and forage from Stanton to Strasburg had been left for the wintering of Early's army. Yesterday Colonel Powell captured a guerrilla camp on the mountains, with ten wagons and teams.

P. H. SHERIDAN, Major-General.

[Official Records, Series I, Vol. XLVII, Part II, p. 50.]

SPECIAL FIELD ORDERS, No. 12.

HUGHES, MIL. DIV. OF THE MISSISSIPPI, In the Field, Savannah, Ga., Dec. 12, 1864.

It being represented that the Confederate army and armed bands are operating in the State, and endeavoring to intimidate the people of Georgia and endeavoring to intimidate them in the effort to make to secure to themselves provisions, clothing, security to life and property, and the restoration of law and good government in the State, it is hereby made public:

I. That the farmers of Georgia may bring into Savannah, Fernandina, or Jacksonville, Fla., marketing, such as beef, pork, mutton, vegetables of any kind, as well as cotton in small quantities, and sell the same in open market, except cotton, which must be sold by or through the Treasury agents, and the proceeds in family stores, such as bacon and flour in reasonable quantities, shoes, and clothing, and articles not contraband of war, and carry the same to their families. No trade stores will be attempted in the interior, or stores sold for them, but families may club together for mutual assistance in coming and going.

II. The people are encouraged to meet together in peaceful assemblage to discuss measures looking to their safety and good government and the restoration of State and national authority and will be protected by the national army when so doing, and all peaceable inhabitants who satisfy the commanding officers that they are earnestly laboring to that end must not only be left undisturbed in property and person, but must be protected as far as possible consistent with the military operations. If any farmer or peaceable inhabitant is molested by the enemy, viz, the Confederate army or guerrillas, because of his friendship for the National Government, the perpetrator, if caught, will be summarily punished or his family made to suffer for the outrage; but if the crime can not be traced to the actual party then retaliation will be made on the adherents to the cause of the rebellion. Should a Union man be murdered then a rebel selected by lot will be shot, or if a Union family be persecuted on account of the cause, a rebel family will be banished to a foreign land. In aggravated cases retaliation will be extended as high as five for one. All commanding officers will act promptly in such cases and report their action after the retaliation is done.

By order of Maj. Gen. W. T. Sherman:

L. M. DAYTON,
Assistant Adjutant-General.

[Official Records Series II Vol. IV, p. 271.]

GENERAL ORDERS, 1
No. 11.

HEADQUARTERS ARMY OF VIRGINIA,
Washington, July 14, 1862.

Commanders of army corps, divisions, brigades, and detached commands will proceed immediately to arrest all disloyal male citizens within their lines or within their reach in rear of their respective stations.

Such as are willing to take the oath of allegiance to the United States and will furnish sufficient security for its observance shall be permitted to remain at their homes and pursue in good faith their accustomed avocations.

Those who refuse shall be conducted south beyond the extreme pickets of this army and be notified that if found again anywhere within our lines or at any point in rear they will be considered spies and subjected to the extreme rigor of military law.

If any person having taken the oath of allegiance as above specified be found to have violated it he shall be shot and his property seized and applied to the public use.

All communication with any persons whatever living within the lines of the enemy is positively prohibited except through the military authorities and in the manner specified by military law, and any person concerned in writing or in carrying letters or messages in any other way will be considered and treated as a spy within the lines of the United States Army.

By command of Major General Pope

GEO. D. BROWN,
Colonel, Assistant Adjutant-General and Chief of Staff.

[Official Records Series II Vol. VI, p. 163.]

GENERAL ORDERS, 1
No. 252.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, July 27, 1862.

The following order of the President is published for the information and government of all concerned.

EXECUTIVE MANSION, *Washington, July 26, 1862.*

It is the duty of every Government to give protection to its citizens, of what color or class, or of condition, and especially to those who are duly organized as soldiers in the public service. The law of nations and the usages and customs of war as carried on by civilized powers permit no distinction as to color in the treatment of prisoners of war as public enemies. To sell or enslave any captured persons on account of his color and for no offense against the laws of war is a breach of the law of nations and a crime against the civilization of the age.

The Government of the United States will give the same protection to all, as soldiers

diers; and if the enemy shall sell or enslave anyone because of his color, the offense shall be punished by retaliation upon the enemy's prisoners in our possession.

It is therefore ordered that for every soldier of the United States killed in violation of the laws of war a rebel soldier shall be executed, and for every one enslaved by the enemy or sold into slavery a rebel soldier shall be placed at hard labor on the public works and continued at such labor until the other shall be released and receive the treatment due to a prisoner of war.

ABRAHAM LINCOLN.

By order of the the Secretary of War:

E. D. TOWNSEND,
Assistant Adjutant-General

CONFEDERATE.

[Official Records, Series I, Vol. III, p. 693.]

HEADQUARTERS FIRST MILITARY DISTRICT, Mo. S. G.,
Camp Hunter, September 2, 1861.

To all whom it may concern:

Whereas Maj. Gen. John C. Frémont, commanding the minions of Abraham Lincoln in the State of Missouri, has seen fit to declare martial law throughout the whole State, and has threatened to shoot any citizen soldier found in arms within certain limits; also to confiscate the property and free the negroes belonging to the members of the Missouri State Guard:

Therefore know ye that I, M. Jeff. Thompson, brigadier-general of the first military district of Missouri, having not only the military authority of brigadier-general, but certain police powers, granted by Acting Governor Thomas C. Reynolds, and confirmed afterwards by Governor Jackson, do most solemnly promise that for every member of the Missouri State Guard, or soldier of our allies, the armies of the Confederate States, who shall be put to death in pursuance of this said order of General Frémont, I will "hang, draw, and quarter" a minion of said Abraham Lincoln.

While I am anxious that this unfortunate war shall be conducted, if possible, upon the most liberal principles of civilized warfare, and every order that I have issued has been with that object, yet if this rule is to be abandoned (it must first be done by our enemies), I intend to exceed General Frémont in his excesses, and will make all tories that come within my reach rue the day that a different policy was adopted by their leader.

Already mills, barns, warehouses, and other private property has been wastefully destroyed by the enemy in this district, while we have taken nothing except articles strictly contraband or absolutely necessary. Should these things be repeated, I will retaliate tenfold, so help me God!

M. JEFF. THOMPSON,
Brigadier-General

[Official Records, Series I, Vol. XV, pp. 906-908.]

BY THE PRESIDENT OF THE CONFEDERATE STATES.

A PROCLAMATION.

Whereas a communication was addressed on the 6th day of July last (1862), by Gen. Robert E. Lee, acting under the instructions of the Secretary of War of the Confederate States of America, to Gen. H. W. Halleck, general in chief of the United States Army, informing the latter that a report had reached this Government that William B. Mumford, a citizen of the Confederate States, had been executed by the United States authorities at New Orleans for having pulled down the United States flag in that city before its occupation by the forces of the United States, and calling for a statement of the facts, with a view to retaliation, if such an outrage had really been committed under sanction of the authorities of the United States:

And whereas (no answer having been received to said letter) another letter was sent the 2d August last (1862), addressed by General Lee, under my instructions, to General Halleck, renewing the inquiry in relation to the said execution of said Mumford, with the information that in the event of not receiving a reply within fifteen days:

would be assumed that the fact alleged was true and was sanctioned by the Government of the United States:

And whereas an answer, dated on the 7th August last (1862), was addressed to General Lee by Gen. H. W. Halleck, the said general in chief of the armies of the United States, alleging sufficient cause for failure to make early reply to said letter of 6th July, asserting that "no authentic information had been received in relation to the execution of Mumford, but measures will be immediately taken to ascertain the facts of the alleged execution," and promising that General Lee should be duly informed thereof:

And whereas on the 29th November last (1862) another letter was addressed, under my instructions, by Robert Ould, Confederate agent for the exchange of prisoners, under the cartel between the two Governments, to Lieut. Col. W. H. Ludlow, agent of the United States under said cartel, informing him that the explanations promised in the said letter of General Halleck of 7th of August last had not yet been received, and that if no answer was sent to the Government within fifteen days from the delivery of this last communication it would be considered that an answer is declined:

And whereas, by letter dated on the 3d day of the present month of December, the said Lieutenant-Colonel Ludlow apprised the said Robert Ould that the above-related communication of 29th of November had been received and forwarded to the Secretary of War of the United States:

And whereas this last delay of fifteen days allowed for answer has elapsed and no answer has been received:

And whereas, in addition to the tacit admission resulting from the above refusal to answer, I have received evidence fully establishing the truth of the fact that the said William B. Mumford, a citizen of this Confederacy, was actually and publicly executed in cold blood by hanging after the occupation of the city of New Orleans by the forces under the command of Gen. Benjamin F. Butler, when said Mumford was an unresisting and non-combatant captive, and for no offense even alleged to have been committed by him subsequent to the date of the capture of the said city:

And whereas the sanction of the Government of the United States and its maintaining of said Butler in high office under its authority for many months after his commission of an act that can be viewed in no other light than as a deliberate murder, as well as of numerous other outrages and atrocities hereafter to be mentioned, afford evidence only too conclusive that the said Government sanctions the conduct of said Butler and is determined that he shall remain unpunished for his crimes:

Now, therefore, I, Jefferson Davis, President of the Confederate States of America, and in their name, do pronounce and declare the said Benjamin F. Butler to be a felon, deserving of capital punishment. I do order that he be no longer considered or treated simply as a public enemy of the Confederate States of America, but as an outlaw and common enemy of mankind, and that in the event of his capture the officer in command of the capturing force do cause him to be immediately executed by hanging; and I do further order that no commissioned officer of the United States taken captive shall be released on parole before exchange until the said Butler shall have met with due punishment for his crimes.

And whereas the hostilities waged against this Confederacy by the forces of the United States under the command of said Benjamin F. Butler have borne no resemblance to such warfare as is alone permissible by the rules of international law or the usages of civilization, but have been characterized by repeated atrocities and outrages, among the large number of which the following may be cited as examples:

Peaceful and aged citizens, unresisting captives and non-combatants, have been confined at hard labor with balls and chains attached to their limbs, and are still so held in dungeons and prisons. Others have been subjected to a like degrading punishment for sending medicines to the sick soldiers of the Confederacy.

The soldiers of the United States have been incited and encouraged by general orders to assault and outrage the wives, the mothers, and the sisters of our citizens.

Helpless women have been torn from their homes and subjected to solitary confinement, some in fortresses and prisons, and one especially on an island of barren and under a tropical sun have been fed with loathsome rations that had been condemned as unfit for soldiers, and have been exposed to the vilest insults.

Prisoners of war who, surrendered to the naval forces of the United States on agreement that they should be released on parole have been seized and kept in close confinement.

Repeated pretenses have been sought or invented for plundering the private property of the captured city by taxes levied and exacted under threat of imprisonment or death at hard labor with ball and chain.

*Correspondence referred to in this proclamation will appear in Series X.

The entire population of the city of New Orleans have been forced to elect between starvation, by the confiscation of all their property, and taking an oath against conscience to bear allegiance to the invaders of their country.

Egress from the city has been refused to those whose fortitude withstood the test, even to lone and aged women and to helpless children; and after being ejected from their homes and robbed of their property they have been left to starve in the streets or subsist on charity.

The slaves have been driven from the plantations in the neighborhood of New Orleans till their owners would consent to share the crops with the commanding general, his brother, Andrew J. Butler, and other officers; and when such consent had been extorted the slaves have been restored to the plantations and there compelled to work under the bayonets of guards of United States soldiers.

Where this partnership was refused armed expeditions have been sent to the plantations to rob them of everything that was susceptible of removal, and even slaves too aged or infirm for work have, in spite of their entreaties, been forced from their homes provided by the owners and driven to wander helpless on the highway.

By a recent general order (No. 91) the entire property in that part of Louisiana lying west of the Mississippi River has been sequestered for confiscation, and officers have been assigned to duty, with orders to "gather up and collect the personal property and turn over to the proper officers, upon their receipts, such of said property as may be required for the use of the United States Army; to collect together all the other personal property and bring the same to New Orleans and cause it to be sold at public auction to the highest bidders"—an order which, if executed, condemns to punishment by starvation at least a quarter of a million of human beings of all ages, sexes, and conditions; and of which the execution, although forbidden to military officers by the orders of President Lincoln, is in accordance with the confiscation law of our enemies, which he has directed to be enforced through the agency of civil officials. And, finally, the African slaves have not only been excited to insurrection by every license and encouragement, but numbers of them have actually been armed for a servile war—a war in its nature far exceeding in horrors the most merciless atrocities of the savages.

And whereas the officers under the command of the said Butler have been in many instances active and zealous agents in the commission of these crimes, and no instance is known of the refusal of any one of them to participate in the outrages above narrated:

And whereas the President of the United States has, by public and official declaration, signified not only his approval of the effort to excite servile war within the Confederacy, but his intention to give aid and encouragement thereto if those independent States shall continue to refuse submission to a foreign power after the first day of January next, and has thus made known that all appeals to the laws of nature, the dictates of reason, and the instincts of humanity would be addressed in vain to our enemies, and that they can be deterred from the commission of these crimes only by the terms of just retribution:

Now, therefore, I, Jefferson Davis, President of the Confederate States of America, and acting by their authority, appealing to the Divine Judge in attestation that their conduct is not guided by the passion of revenge, but that they reluctantly yield to the solemn duty of repressing, by necessary severity, crimes of which their citizens are the victims, do issue this my proclamation, and by virtue of my authority as commander in chief of the armies of the Confederate States, do order—

First. That all commissioned officers in the command of said Benjamin F. Butler be declared not entitled to be considered as soldiers engaged in honorable warfare, but as robbers and criminals, deserving death; and that they and each of them, if ever captured, reserved for execution.

Second. That the private soldiers and noncommissioned officers in the army of said Butler be considered as the only instruments used for the commission of the crimes perpetrated by his orders and not as free agents; that they therefore be treated, when captured, as prisoners of war, with kindness and humanity, and be sent home on the usual parole, that they will in no manner aid or serve the United States in any capacity during the continuance of this war unless duly exchanged.

Third. That all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong, to be dealt with according to the laws of said States.

Fourth. That the like orders be executed in all cases with respect to all commissioned officers of the United States when found serving in company with slaves in insurrection against the authorities of the different States of this Confederacy.

In testimony whereof I have signed these presents and caused the seal of the Confederate States of America to be affixed thereto at the city of Richmond, on [L. s.] this 23d day of December, in the year of our Lord one thousand eight hundred and sixty-two.

JEFFERSON DAVIS.

By the President:

J. P. BENJAMIN,
Secretary of State.

II. Officers of the army are charged with the observance and enforcement of the foregoing orders of the President. Where the evidence is not full, or the case is for any reason of a doubtful character, it will be referred through this office for the decision of the War Department.

By order:

S. COOPER,
Adjutant and Inspector General.

[Official Records, Series I, Vol. XXII, Part I, pp. 818, 819.]

EXECUTIVE OFFICE,
Richmond, November 17, 1862.

Lieut. Gen. T. H. HOLMES,
Commanding Trans-Mississippi Department.

GENERAL: Inclosed you will find a slip from the Memphis Daily Appeal of the 3d instant containing an account, purporting to be derived from the Palmyra (Missouri) Courier, a Federal journal, of the murder of ten Confederate citizens of Missouri by order of General McNeil of the U. S. Army.*

You will communicate, by flag of truce, with the Federal officer commanding that department, and ascertain if the facts are as stated. If they be so, you will demand the immediate surrender of General McNeil to the Confederate authorities; and if this demand is not complied with, you will inform said commanding officer that you are ordered to execute the first ten United States officers who may be captured and fall into your hands.

Very respectfully, yours,

JEFFERSON DAVIS.

[Official Records, Series I, Vol. XXXVII, Part I, p. 334.]

HEADQUARTERS DEPARTMENT OF THE SUSQUEHANNA,
Harrisburg, Pa., August 9, 1864.

MAJOR: I have the honor to report relating to the late invasion by the rebels in Chambersburg, Pa., on the morning of the 30th of July, 1864. Being on detached duty at headquarters of the department at that place, and unavoidably detained there, I was present both on the entrance and departure of their force in and out of town, and was both an eyewitness and observer of the following, which came under my immediate observation:

The rebels entered the town with a force of (I do not think over) 500 mounted men, under the command of Generals McCausland and Bradley T. Johnson, the main body being encamped on the fair grounds, about 14 miles out of town, on the Pittsburg pike. Before entering the rebels fired 2 shells in the town. They then entered by almost every alley and by-street by small squads prior to the advance of the main body, which came up directly in the rear. On arriving into town General McCausland informed me personally that if I had any self-interest at stake it would be well for me to listen to the order he would read and get the municipal authorities together to hold a meeting and comply with their desires. The order itself was handed me, which I read myself, the purport of which was as follows:

"That in retaliation of the depredations committed by Major-General Hunter, of the United States forces, during his recent raid, it is ordered that the citizens of Chambersburg pay to the Confederate States by General McCausland the sum of \$100,000 in gold; or in lieu thereof \$500,000 in greenbacks or national currency was

*See Holmes to Curtis, December 7, 1862, p. 818, and Curtis to Holmes, December 24, 1862, p. 860; also Smith to Curtis and to Cooper, June 3, 1863, Part II, pp. 307, 852.

required to ransom the town, otherwise the town would be laid in ashes within three hours."

The order was signed by General Early. After reading the order I started to see the town council. Meeting one of them I informed him of the facts, when he told me that the citizens would not pay them 5 cents. I returned and met Gen. Bradley T. Johnson on the portico of the Franklin Hotel. The rebels were by this time dismounted and breaking in the doors of stores and houses, and had already commenced plundering. When they entered it was 5.30 a. m., from which time I was in company with both Generals McCausland and Johnson (being in citizen's dress they did not know me). General McCausland was appealed to by Johnson to relent or at least give the citizens more time, but he was determined.

At 9 o'clock McCausland ordered the town burned. In a few moments the commissary storehouse was in flames, during which time McCausland and Gilmer were riding through town notifying the citizens, pointing to the flames, that he intended to carry his threat into execution. He returned to the Franklin Hotel and had a consultation with Gen. Bradley T. Johnson, during which I overheard McCausland say that General Averell was only 4 miles out of town with a force of 2,000 cavalry, and that he would now burn the town and return the way they came. In a few moments the court-house and townhall were in flames, when simultaneously on the right and left sides of the main street was in one mass of flames; but some time elapsed when the houses on both sides of the by-streets were in the same condition. I repaired to the hotel and found a party of rebels ransacking the trunks of the boarders and donning the clothes contained therein. In my trunk was my uniform, other clothes, and letters, etc., by which they learned that I was connected with the headquarters of the department. They immediately took me prisoner when they confined me in a tin store adjoining the hotel, where they dressed themselves in my clothes, destroying the emblems of the United States service.

I was thus confined until the houses on both sides the one in which I was imprisoned were in flames, when I escaped through a window to the rear of the building. At this time (about 12 m.) the rebels were mounted and on their return, leaving only a small number as stragglers and pickets. When they left nearly two-thirds of their party were in a state of intoxication, hardly capable of sitting on their horses. I remained in Chambersburg until midnight of Saturday, when I walked to Staupersburg, arriving in Harrisburg on Monday.

I have the honor to be, major, very respectfully, your obedient servant.

WILL. S. KOCHERSPERGER,

Sergeant, Company L, Twentieth Regiment Pennsylvania Cavalry.

Indorsement Clerk at Hdqrs. Dept. of the Susquehanna.

Maj. JOHN S. SCHULTZE,

Assistant Adjutant-General.

[Official Records, Series II, Vol. IV, pp. 836, 837.]

GENERAL ORDERS, }
No. 54.

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Aug. 4, 1862.

I. The following orders are published for the information and observation of all concerned:

II. Whereas by a general order dated the 22d of July, issued by the Secretary of War of the United States, under the order of the President of the United States, military commanders of that Government within the States of Virginia, North Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas, are directed to seize and use any property, real or personal, belonging to the citizens of this Confederacy which may be necessary or convenient for their respective commands, and no provision is made for any compensation to the owners of the property thus seized and appropriated by the military commanders of the United States:

III. And whereas, by General Orders, No. 11, issued on the 23d of July, 1862, by Major-General Pope, commanding the forces of the enemy in North Carolina, it is ordered that all--

"Commanders of army corps, divisions, brigades, and detached commands, shall proceed immediately to arrest all disloyal male citizens within their lines, and within their reach in rear of their respective commands. Such as are willing to take the oath of allegiance to the United States and will furnish sufficient security for their observance shall be permitted to remain at their homes and pursue in good faith

their respective avocations. Those who refuse shall be conducted south beyond the extreme pickets of this army and be notified that if found again anywhere within our lines or at any point in rear they will be considered spies and subject to extreme rigor of military law. If any person having taken the oath of allegiance as above specified be found to have violated it, he shall be shot and his property seized and applied to the public use;”

IV. And whereas, by an order issued on the 13th of July, 1862, by Brig. Gen. A. Steinwehr, Maj. William Steedman, a cavalry officer of his brigade, has been ordered to arrest five of the most prominent citizens of Page County, Va., to be held as hostages and to suffer death in the event of any of the soldiers of said Steinwehr being shot by bushwhackers, by which term are meant the citizens of this Confederacy who have taken up arms to defend their homes and families;

V. And whereas it results from the above orders that some of the military authorities of the United States, not content with the unjust and aggressive warfare hitherto waged with savage cruelty against an unoffending people and exasperated by the failure of their effort to subjugate them, have now determined to violate all the rules and usages of war and to convert the hostilities hitherto waged against armed forces into a campaign of robbery and murder against unarmed citizens and peaceful tillers of the soil;

VI. And whereas this government, bound by the highest obligations of duty to its citizens, is thus driven to the necessity of adopting such measures of retribution and retaliation as shall seem adequate to repress and punish these barbarities; and whereas the orders above recited have only been published and made known to this government since the signature of a cartel for exchange of prisoners of war, which cartel in so far as it provides for an exchange of prisoners hereafter captured would never have been signed or agreed to by this government if the intention to change the war into a system of indiscriminate murder and robbery had been made known to it; and whereas a just regard to humanity forbids that the repression of crime which this government is thus compelled to enforce should be unnecessarily extended to retaliation on the enlisted men in the Army of the United States who may be the unwilling instruments of the savage cruelty of their commanders so long as there is hope that the excesses of the enemy may be checked or prevented by retribution on the commissioned officers, who have the power to avoid guilty action by refusing service under a Government which seeks their aid in the perpetration of such infamous barbarities;

VII. Therefore, it is ordered that Major-General Pope, Brigadier-General Steinwehr, and all commissioned officers serving under their respective commands be, and they are hereby, specially declared to be not entitled to be considered as soldiers, and therefore not entitled to the benefit of the cartel for the parole of future prisoners of war. Ordered further, that in the event of the capture of Major-General Pope or Brigadier-General Steinwehr, or of any commissioned officer serving under them, the captive so taken shall be held in close confinement so long as the orders aforesaid shall continue in force and unrepealed by the competent military authorities of the United States, and that in the event of the murder of any unarmed citizen or inhabitant of this Confederacy by virtue or under pretext of any of the orders heretofore recited, whether with or without trial, whether under the pretense of such citizen being a spy or hostage, or any other pretense, it shall be the duty of the commanding general of the forces of this Confederacy to cause to be immediately hung, out of the commissioned officers prisoners as aforesaid, a number equal to the number of our own citizens thus murdered by the enemy.

By order:

S. COOPER,
Adjutant and Inspector General.

[Official Records, Series 11, Vol. IV, p. 56.]

GENERAL ORDERS,)

No. 50)

WAR DEPARTMENT,

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,

Richmond, August 20, 1862.

Whereas information has been received that certain peaceable citizens of the Confederate States have been seized and put to death by order of General Fitch,* commanding the army of the United States which had invaded the State of Arkansas,

* Reference is to Col. Graham N. Fitch, Forty-sixth Indiana.

upon the ground that one of the said invading army had been shot by some unknown person who, whatever his condition, had an unquestionable right to defend his home. and whereas inquiry has been made of the Government of the United States as to the correctness of the said information, and whether the action of General Fitch has the sanction of the said Government, to which inquiry the authorities of the United States have refused to answer; and whereas our government is driven to retaliatory measures as the only means to protect the lives of the peaceable citizens of the Confederate States who may fall into the hands of General Fitch, or any person acting under his authority:

It is hereby ordered that general officers commanding the troops of the Confederate States shall forthwith ascertain and report to the president whether such acts have been committed, and upon being certified [satisfied] thereof shall forthwith set apart by lot, from among any prisoners taken from the army under the command of General Fitch, a number of officers equal in number to the persons who have been put to death as aforesaid, and place them in close confinement for execution at such time thereafter as may be ordered by the president, and shall regard the said General Fitch, if captured, not as a prisoner of war, but place him in confinement as a felon until the further order of the president.

By order:

S. COOPER,
Adjutant and Inspector General.

[Official Records, Series II, Vol. IV, p. 857].

GENERAL ORDERS, }
No. 60. }

WAR DEPARTMENT,
ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, August 21, 1862.

I. Whereas Major-General Hunter, recently in command of the enemy's forces on the coast of South Carolina, and Brigadier-General Phelps, a military commander of the enemy in the State of Louisiana, have organized and armed negro slaves for military service against their masters, citizens of this Confederacy; and whereas the Government of the United States has refused to answer an inquiry whether such conduct of its officers meets its sanction and has thus left to this Government no other means of repressing said crimes and outrages than the adoption of such measures of retaliation as shall serve to prevent their repetition:

Ordered, That Major-General Hunter and Brigadier-General Phelps be no longer held and treated as public enemies of the Confederate States, but as outlaws; and that in the event of the capture of either of them, or that of any other commissioned officer employed in drilling, organizing, or instructing slaves with a view to their armed service in this war, he shall not be regarded as a prisoner of war but held in close confinement for execution as a felon at such time and place as the President shall order.

By order.

S. COOPER,
Adjutant and Inspector General.

[Official Records, Series II, Vol. IV, p. 954.]

WAR DEPARTMENT,
Richmond, Va., November 1, 1862.

Gen. G. T. BEAUREGARD, *Commanding, &c.*

GENERAL: The question as to the slaves taken in Federal uniform and with arms in their hands as presented to you by the letter of Brigadier-General Mercer of the 11th instant, and by you forwarded to this department, has been considered in conference with the president. Slaves in flagrant rebellion are subject to death by the laws of every slave-holding State, and did circumstances admit without too great delay and military inconvenience might be handed over to the civil tribunals for execution. They can not be recognized in any way as soldiers subject to the rules of war and to trial by military courts; yet for example and to repress any spirit of insubordination it is deemed essential that the slaves in armed insurrection should receive condign punishment. Summary execution must therefore be inflicted on those taken, as with the slaves referred to by General Mercer, under circumstances indicative beyond doubt of actual rebellion.

To guard, however, against the possible abuse of this grave power under the immediate excitement of capture or through overzeal on the part of subordinate officers

it is deemed judicious that the discretion of deciding and giving the order of execution should be reposed in the general commanding the special locality of the capture.

You will therefore instruct Brigadier-General Mercer to exercise this discretion of decision and summary execution in the case of the slaves referred to by him and any others hereafter captured under like circumstances.

I have the honor to be, very respectfully, yours,

JAMES A. SEDDON,
Secretary of War.

(Copy to General Forney, Mobile, Ala., December 13, 1862, for his guidance.)

[Official Records, Series II, Vol. V, pp. 796-797.]

GENERAL ORDERS,)
No. 111.)

ADJUTANT AND INSPECTOR-GENERAL'S OFFICE,
Richmond, December 23, 1862.

I. The following proclamation of the President is published for the information and guidance of all concerned therein:

BY THE PRESIDENT OF THE CONFEDERATE STATES.

A PROCLAMATION.

Whereas a communication was addressed on the 6th day of July last (1862) by Gen. Robert E. Lee, acting under the instructions of the Secretary of War of the Confederate States of America, to Gen. H. W. Halleck, General-in-Chief of the United States Army, informing the latter that a report had reached this Government that William B. Mumford, a citizen of the Confederate States, had been executed by the United States authorities at New Orleans for having pulled down the United States flag in that city before its occupation by the forces of the United States, and calling for a statement of the facts with a view to retaliation if such an outrage had really been committed under sanction of the authorities of the United States;

And whereas (no answer having been received to said letter) another letter was on the 2d August last (1862) addressed by General Lee under my instructions to General Halleck renewing the inquiry in relation to the said execution of said Mumford, with the information that in the event of not receiving a reply within fifteen days it would be assumed that the fact alleged was true and was sanctioned by the Government of the United States;

And whereas an answer, dated on the 7th August last (1862) was addressed to General Lee by Gen. H. W. Halleck, the said General-in-Chief of the Armies of the United States, alleging sufficient cause for failure to make early reply to said letter of 6th July, asserting that "no authentic information had been received in relation to the execution of Mumford, but measures will be immediately taken to ascertain the facts of the alleged execution," and promising that General Lee should be duly informed thereof;

And whereas on the 29th November last (1862) another letter was addressed under my instructions by Robert Ould, Confederate agent for the exchange of prisoners under the cartel between the two Governments, to Lieut.-Col. W. H. Ludlow, agent of the United States under said cartel, informing him that the explanations promised in the said letter of General Halleck of 7th August last had not yet been received, and that if no answer was sent to the Government within fifteen days from the delivery of this last communication it would be considered that an answer is declined.

And whereas by letter dated on the 3d day of the present month of December the said Lieutenant-Colonel Ludlow apprised the said Robert Ould that the above-recited communication of 29th of November had been received and forwarded to the Secretary of War of the United States.

And whereas this last delay of fifteen days allowed for answer has elapsed and no answer has been received.

And whereas in addition to the tacit admission resulting from the above refusal to answer I have received evidence fully establishing the truth of the fact that the said William B. Mumford, a citizen of this Confederacy, was actually and publicly executed in cold blood by hanging after the occupation of the city of New Orleans by the forces under the command of Gen. Benjamin F. Butler, when said Mumford was an unresisting and noncombatant captive, and for no offense even alleged to have been committed by him subsequent to the date of the capture of the said city;

And whereas the silence of the Government of the United States and the maintaining of said Butler in high office under its authority for many months after his commission of an act that can be viewed in no other light than as a deliberate murder, as well as of numerous other outrages and atrocities hereafter to be mentioned, afford evidence only too conclusive that the said Government sanctions the conduct of said Butler and is determined that he shall remain unpunished for his crimes:

Now therefore I, Jefferson Davis, President of the Confederate States of America, and in their name do pronounce and declare the said Benjamin F. Butler to be a felon deserving of capital punishment. I do order that he be no longer considered or treated simply as a public enemy of the Confederate States of America but as an outlaw and common enemy of mankind, and that in the event of his capture the officer in command of the capturing force do cause him to be immediately executed by hanging; and I do further order that no commissioned officer of the United States taken captive shall be released on parole before exchange until the said Butler shall have met with due punishment for his crimes.

And whereas the hostilities waged against this Confederacy by the forces of the United States under the command of said Benjamin F. Butler have borne no resemblance to such warfare as is alone permissible by the rules of international law or the usages of civilization but have been characterized by repeated atrocities and outrages, among the large number of which the following may be cited as examples:

Peaceful and aged citizens, unresisting captives, and noncombatants have been confined at hard labor with balls and chains attached to their limbs, and are still held in dungeons and fortresses. Others have been subjected to a like degrading punishment for selling medicines to the sick soldiers of the Confederacy.

The soldiers of the United States have been invited and encouraged by general orders to insult and outrage the wives, the mothers, and the sisters of our citizens.

Helpless women have been torn from their homes and subjected to solitary confinement, some in fortresses and prisons and one especially on an island of barren sand under a tropical sun; have been fed with loathsome rations that had been condemned as unfit for soldiers, and have been exposed to the vilest insults.

Prisoners of war who surrendered to the naval forces of the United States on agreement that they should be released on parole have been seized and kept in close confinement.

Repeated pretexts have been sought or invented for plundering the inhabitants of the captured city by fines levied and exacted under threat of imprisoning recruits at hard labor with ball and chain.

The entire population of the city of New Orleans have been forced to elect between starvation, by the confiscation of all their property, and taking an oath against conscience to bear allegiance to the invaders of their country.

Egress from the city has been refused to those whose fortitude withstood the rest even to lone and aged women and to helpless children; and after being ejected from their homes and robbed of their property they have been left to starve in the streets or subsist on charity.

The slaves have been driven from the plantations in the neighborhood of New Orleans till their owners would consent to share the crops with the commanding general, his brother, Andrew J. Butler, and other officers; and when such consent had been extorted the slaves have been restored to the plantations and there compelled to work under the bayonets of guards of United States soldiers.

Where this partnership was refused armed expeditions have been sent to the plantations to rob them of everything that was susceptible of removal, and even such too aged or infirm for work have in spite of their entreaties been forced from the homes provided by the owners and driven to wander helpless on the highway.

By a recent general order (No. 91) the entire property in that part of Louisiana lying west of the Mississippi River has been sequestered for confiscation and officers have been assigned to duty with orders to "gather up and collect the personal property and turn over to the proper officers upon their receipts such of said property as may be required for the use of the United States Army; to collect together all the other personal property and bring the same to New Orleans and cause it to be sold at public auction to the highest bidders"—an order which if executed condemns to punishment by starvation at least a quarter of a million of human beings of all ages, sexes and conditions; and of which the execution, although forbidden to military officers by the orders of President Lincoln, is in accordance with the confiscation law of our enemies which he has directed to be enforced through the agency of civil officers. And, finally, the African slaves have not only been excited to insurrection by every license and encouragement, but numbers of them have actually been armed for civil war—a war in its nature far exceeding in horrors the most merciless atrocities of the savages.

And whereas the officers under the command of the said Butler have been in many instances active and zealous agents in the commission of these crimes, and no instance

is known of the refusal of any one of them to participate in the outrages above narrated;

And whereas the President of the United States has by public and official declaration signified not only his approval of the effort to excite servile war within the Confederacy, but his intention to give aid and encouragement thereto if these independent States shall continue to refuse submission to a foreign power after the 1st day of January next, and has thus made known that all appeals to the laws of nations, the dictates of reason, and the instincts of humanity would be addressed in vain to our enemies, and that they can be deterred from the commission of these crimes only by the terms of just retribution:

Now therefore I, Jefferson Davis, President of the Confederate States of America and acting by their authority, appealing to the Divine Judge in attestation that their conduct is not guided by the passion of revenge but that they reluctantly yield to the solemn duty of repressing by necessary severity crimes of which their citizens are the victims, do issue this my proclamation, and by virtue of my authority as commander-in-chief of the Armies of the Confederate States do order—

1. That all commissioned officers in the command of said Benjamin F. Butler be declared not entitled to be considered as soldiers engaged in honorable warfare but as robbers and criminals deserving death, and that they and each of them be whenever captured reserved for execution.

2. That the private soldiers and noncommissioned officers in the army of said Butler be considered as only the instruments used for the commission of the crimes perpetrated by his orders and not as free agents; that they therefore be treated when captured as prisoners of war with kindness and humanity and be sent home on the usual parole that they will in no manner aid or serve the United States in any capacity during the continuance of this war unless duly exchanged.

3. That all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong to be dealt with according to the laws of said States.

4. That the like orders be executed in all cases with respect to all commissioned officers of the United States when found serving in company with armed slaves in insurrection against the authorities of the different States of this Confederacy.

In testimony whereof I have signed these presents and caused the seal of the Confederate States of America to be affixed thereto at the city of Richmond on this 23d day of December, in the year of our Lord one thousand eight hundred and sixty-two.

JEFF. DAVIS.

By the President

J. P. BENJAMIN, *Secretary of State*.

All officers of the Army are charged with the observance and enforcement of the foregoing orders of the President. Where the evidence is not full or the case is for any reason of a doubtful character it will be referred through this office to the decision of the War Department.

By order

S. A. COOPER,

Adjutant-General, Confederate States

RECEIVED BY THE SECRETARY OF THE CONFEDERATE STATES

MINUTE BOOK OF THE JOINT SELECT COMMITTEE

Your committee proceed next to consider the allegation that the Confederate authorities had prepared a mine under the Liberty Prison, and placed in it a quantity of gunpowder for the purpose of blowing up the buildings, with their inmates, in case of an attempt to rescue them. After ascertaining all the facts bearing on this subject your committee believe that what was done under the circumstances will meet a verdict of approval from all whose prejudices do not blind them to the truth. The state of things was unprecedented in history, and must be judged of according to the motives at work and the result accomplished.

A large body of Northern soldiers under one Colonel Dahlgren was approaching Richmond. It was ascertained, by the reports of prisoners captured from them and other evidence, that their design was to enter the city, to set fire to the buildings, public and private, for which purpose torpedine balls in great number had been prepared, to murder the President of the Confederate States and other prominent

* Extract from report of the joint select committee appointed by the Confederate Congress to investigate the condition and treatment of prisoners of war, dated March 3, 1865.

men; to release the prisoners of war, then numbering 5,000 or 6,000; to put arms into their hands, and to turn over the city to indiscriminate pillage, rape, and slaughter. At the same time a plot was discovered among the prisoners to cooperate in this scheme, and a large number of knives and slung-shots (made by putting stones into woolen stockings) were detected in places of concealment about their quarters. To defeat a plan so diabolical, assuredly the sternest means were justified. If it would have been right to put to death any one prisoner attempting to escape under such circumstances, it seems logically certain that it would have been equally right to put to death any number making such attempt. But in truth the means adopted were those of humanity and prevention rather than of execution. The Confederate authorities felt able to meet and repulse Dahlgren and his raiders if they could prevent the escape of the prisoners.

The real object was to save their lives as well as those of our citizens. The guard force at the prisons was small, and all the local troops in and around Richmond were needed to meet the threatened attack. Had the prisoners escaped, the women and children of the city, as well as their homes, would have been at the mercy of 5,000 outlaws. Humanity required that the most summary measures should be used to deter them from any attempt at escape.

A mine was prepared under the Libby Prison; a sufficient quantity of gunpowder was put into it, and pains were taken to inform the prisoners that any attempt at escape made by them would be effectually defeated. The plan succeeded perfectly. The prisoners were awed and kept quiet. Dahlgren and his party were defeated and scattered. The danger passed away, and in a few weeks the gunpowder was removed. Such are the facts. Your committee do not hesitate to make them known, feeling assured that the conscience of the enlightened world, and the great law of self-preservation will justify all that was done by our country and her officers.

GENERAL ORDERS, }
No. 372. }

HEADQUARTERS OF THE ARMY.
Mexico, December 12, 1861.

1. The highways of Mexico, used, or about to be used, by the American troops, being still infested, in many parts, by those atrocious bands called "guerrilleros" and "rancheros," who, under instructions from the late Mexican authorities, continue to violate every rule of warfare observed by civilized nations, it has been necessary, in order to insure vigor and uniformity in the pursuit of the enemy, to announce to all the views and instructions of general headquarters on the subject.

2. Every American post established in Mexico will daily push detachments of patrols, as far as practicable, to disinfest the neighborhood—its roads and places of concealment.

3. No quarter will be given to known murderers or robbers, whether called guerrilleros or rancheros, and whether serving under Mexican commissions or not. They are equally pests to unguarded Mexicans, foreigners, and small parties of Americans, and ought to be exterminated.

4. Offenders of the above character accidentally falling into the hands of American troops will be momentarily held as prisoners; that is, not put to death without solemnity. Accordingly they will be promptly reported to commanding officers who will, without delay, order a council of war for the summary trial of the offenders under the known laws of war applicable to such cases.

5. A council of war may consist of any number of officers, not less than three, nor more than thirteen, and may, for any flagrant violation of the laws of war, condemn to death or to lashes—not exceeding fifty—on satisfactory proof that such offenders at the time of capture, actually belonged to any party or gang of known guerrilleros, murderers, or had actually committed murder or robbery upon any American citizen, or soldier or follower of the American Army.

6. Punishments awarded by councils of war will be reviewed, approved or disapproved by the commanders who, respectively, order the councils, and, on their approval, be immediately put into execution by their orders; but commissions, except in extreme cases, will be ordered only by commanders of detachments, regiments, or brigades, or by commanders of military departments.

7. All punishments under this order will be duly reported to general headquarters.

8. The new post, Rio Frio, will be considered under the direct command of the general in chief and in correspondence with him until further orders.

By command of Major-General Scott:

H. L. SCOTT
Acting Assistant Adjutant-General

Thereupon, at 12.15, the committee adjourned until Thursday, May 29, 1902, at 10.30 o'clock, a. m.

WASHINGTON, D. C., *Thursday, May 29, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman and Senators Allison, Beveridge, McComas, Dietrich, Culberson, and Patterson.

The CHAIRMAN. I have the following to submit to the committee:

WAR DEPARTMENT, OFFICE OF THE SECRETARY.

DIVISION OF INSULAR AFFAIRS,

Washington, D. C., May 23, 1902.

SIR: By direction of the Secretary of War, I have the honor to transmit herewith a copy of the translation of a cablegram received yesterday from the acting civil governor of the Philippine Islands relative to the difficulty experienced by the insular government in obtaining money of the United States.

Very respectfully,

CHARLES E. MAGDON,

Acting Chief of Division.

Hon. H. C. LODGE,

Chairman Committee on the Philippines,

United States Senate.

[Translation of cablegram received at War Department 1.12 p. m. May 22, 1902.]

MANILA.

SECRETARY OF WAR, *Washington:*

After making available in United States money appropriations immediately necessary, there is left in the insular treasury about \$600,000 money of the United States. Practically none is being received from customs or internal revenue; must very soon face the question obtaining of next month to pay obligations payable in only money of the United States; request suggestions as to method of obtaining money of the United States; can pay for it only Mexican dollars; can advertise for bids to furnish gold, payment to be made in Mexican currency, or can raise ratio so high that customs and internal-revenue receipts will be gold; either method highly objectionable and would greatly deplete treasury balance. Price of gold at local banks to-day is \$1 for \$2.41 Mexican, but no large orders can be filled.

WRIGHT.

WAR DEPARTMENT,

Washington, May 28, 1902.

SIR: On receiving your letter of May 15, advising me of the resolution of your committee, "That the Secretary of War be, and he is hereby, requested to send to the Committee on Philippines a copy of Telegraphic Circular No. 1, issued by Brig. Gen. J. F. Bell," I learned from the Adjutant-General's Office that no copy of the circular mentioned had as yet been received at the Department, but that a letter had been written on the 24th of March directing the adjutant-general of the Department of North Philippines to forward copies of that and several other orders which were wanting. A copy of this letter I inclose, together with a copy of telegraphic correspondence.

with General Chaffee, ending with a cable dispatch from him, dated May 24, 1902, showing that General Bell's Telegraphic Circular No. 1 was purely formal and concerned office details, and stating the substance of the circular. Should the committee desire further information as to the contents of this circular, I will cause it to be cabled here in full. General Chaffee, evidently considering its contents unimportant, has condensed it to save the very heavy expense of cabling.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,
*Chairman Committee on the Philippines,
United States Senate.*

WAR DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE,
Washington, March 24, 1902.

ASSISTANT ADJUTANT-GENERAL,
DEPARTMENT OF NORTH PHILIPPINES,
Manila, P. I.

SIR: To complete the files of this office, I have the honor to request that the inclosed list of orders and circulars be furnished as soon as practicable. Some of them have never been received and others are required for the depleted files.

As some of the commanders of districts and brigades have forwarded but one copy of their orders and circulars, attention is called to the inclosed copies of Circular No. 25, July 25, 1900, from this office.

Very respectfully,

GEO. ANDREWS,
Assistant Adjutant-General.

CIRCULAR,) HEADQUARTERS OF THE ARMY,
No. 25.) ADJUTANT GENERAL'S OFFICE,
Washington, July 25, 1900.

1. The large number of applications received from commanding officers of regiments, posts, and others for files of general orders and circulars issued from this office requires that special attention be invited to paragraph 778 of the Regulations and that strict compliance therewith be enjoined.

Under the present system adopted for the distribution of orders and circulars, division and department commanders are furnished a number of copies as they may deem necessary to supply all the officers on duty at their headquarters and a surplus number to meet special demands.

Commanding officers of posts are furnished one copy for personal file, one for post file, two for each company (one for the captain's personal file and the other for the company file), and fifteen copies for regimental field officers and the post staff (excepting the surgeon, quartermaster, and commissary, who are supplied through their respective departments).

Commanding officers of regiments serving at military posts are furnished five copies for the regimental files in addition to the number

shed them as post commanders. When a regiment is serving in old *forty* copies are furnished regimental headquarters, one copy for battalion commanders and battalion adjutants, two copies for anies, and remaining number for colonel, lieutenant-colonel, staff, arplus.

cers of the staff departments are furnished copies through the of their respective departments.

Special Orders. Seven full copies of special orders are furnished headquarters of each military division and department. These ntended for the department commander, adjutant-general, tor-general, judge-advocate, chief quartermaster, chief commis- and chief surgeon. The chief paymaster is furnished a copy gh the Paymaster-General of the Army.

racts of special orders are furnished to *all concerned only*, either or through the immediate commander.

To meet the requirements of this office commanding-generals of ry divisions and departments will hereafter furnish this office llowing number of copies of orders and circulars, three copies official, as soon as issued from their headquarters:

	Copies.
For orders and circulars	15
For orders	7
For troops	15
For general orders and circulars	10
For special orders	5

commanding-generals of the Division of the Philippines and of will furnish *twice the number* indicated above, and also *thirty* of all orders and circulars relating to civil affairs issued by

mmanding officers of military districts and separate brigades will rd two copies of all orders and circulars as soon as issued from eadquarters.

For convenience and uniformity all printed orders and circulars l be the size of the general orders issued from this office and in manuscript upon *letter-size* paper, leaving a margin of 1½ for binding.

command of Lieutenant-General Miles:

H. C. CORBIN,
Adjutant-General.

ADJUTANT-GENERAL'S OFFICE,
Washington, May 22, 1902.

EE. Manila:

graphic circular, No. 1, Third Separate Brigade, series 1901, not ed. When was it mailed? Unless very long, cable in full liately.

CORBIN.

MANILA, May 24, 1902.

ANT-GENERAL, Washington:

• • • • •
s telegraph circular "No. 1 never mailed from here. Advises commanders he will send them instructions circular form by

wire, copies mail; directs them kept separate file; transferred to successors; receipts to be taken. Directs entered on this file any general authority sent an individual commander to pursue particular policy at his station or district. Bell will visit every station as soon as possible and will inspect this file of instructions. Brigade inspector will examine it. Station commanders to improvise file for filing instructions and will also enter them in station or company books. Any answer to telegram sent by Bell personally may be addressed him direct."

CHAFFEE

[Extract of cablegram received Adjutant-General's Office.]

MANILA, *May 24, 1902.*

ADJUTANT-GENERAL, *Washington:*

* * * * *

Bell's telegraph circular "No. 1 never mailed from here. Advise station commanders he will send them instructions circular form by wire, copies mail; directs them kept separate; file transferred to successors, receipts to be taken; directs entered on this file any general authority sent an individual commander to pursue particular policy at his station or district. Bell will visit every station as soon as possible and will inspect this file of instructions. Brigade inspector will examine it. Station commanders to improvise file for filing instructions and will also enter them in station or company books. Any answer to telegram sent by Bell personally may be addressed him direct."

CHAFFEE

(Copy for information of Adjutant-General.)

[Extract of cablegram received Adjutant-General's Office.]

MANILA, *May 22, 1902.*

ADJUTANT-GENERAL, *Washington:*

* * * * *

With reference to your telegram of 17th, Department of Northern Luzon orders mailed May 5; third district, First, Second Brigades May 22; Third, Fourth Brigades' not mailed.

CHAFFEE

(Copy for Adjutant-General.)

[Telegram.]

ADJUTANT-GENERAL'S OFFICE
Washington, May 22.

CHAFFEE, *Manila:*

Have missing orders and circulars specified my letter March 22? adjutant-general of Department North Philippines been sent when?

COPY

[Extract of cablegram received Adjutant-General's Office.]

MANILA, May 22, 1902.

ADJUTANT-GENERAL, Washington:

* * * * *

With reference to your telegram of 17th, Department of Northern Luzon orders mailed May 5; third district, First, Second Brigades, May 22; Fourth Brigades not mailed.

CHAFFEE.

(Copy for Secretary of War.)

List of orders and circulars required for the files of the Adjutant-General's Office, War Department.

	Copies.
Department of Northern Luzon, series 1901:	
Special Orders, Nos. 1 to 279 (each)	10
General Orders, No. 39 (each)	50
Third District, Northern Luzon, series 1901:	
General Orders, No. 18 (never received)	2
Circulars, Nos. 1, 2, and 3 (never received)	2
First Separate Brigade, series 1901:	
Special Orders, No. 22, paragraph 1 (never received)	2
General Orders, No. 2 (never received)	2
Second Separate Brigade, series 1901:	
Special Orders, No. 43 (never received)	2
Third Separate Brigade:	
Series 1901:	
Telegraphic Circular, No. 1 (never received)	2
Series 1902:	
Special Orders, Nos. 16 and 17 (never received)	2
Fourth Separate Brigade, series 1901:	
Special Orders, No. 2 (never received)	2
Special Orders, No. 9	1
General Orders, No. 8 (never received)	2
General Orders, No. 14 (if issued)	2
Circulars (of any issued)	2

As only one copy of the typewritten orders have been received, and some of these very imperfect, an additional copy of all orders and circulars is requested.

WAR DEPARTMENT.
Washington, May 22, 1902.

SIR: By request of Governor Taft, I forward to you a copy of a report by J. G. Livingston, governor of the province of Sorsogon, P. I., dated January 7, 1902, and referred to in that officer's report already laid before your committee, bearing date of January 11, 1902.

Very respectfully,

ELIHU ROOT, Secretary of War.

Hon. H. C. LODGE,

Chairman Committee on the Philippines, United States Senate.

PROVINCE OF SORSOGON, P. I.,
OFFICE OF THE GOVERNOR,
Sorsogon, January 7, 1902.

THE EXECUTIVE SECRETARY, UNITED STATES
PHILIPPINE COMMISSION,
Manila, P. I.

SIR: I have the honor to report that Ysidro Gallanosa, presidente of the town of Santa Magdalena (Busuanga), province of Sorsogon, was

shot and killed by a detachment of Company I, Fifteenth Infantry, on November 7, 1901, under the following circumstances so far as known:

For several months previous to the date above the province had been considerably disturbed by a movement of the ignorant mountain people, who had organized themselves to resist the Government. Santa Magdalena is a small isolated town in the southeastern corner of the province. It had never been garrisoned, and the people had never felt the protection of troops nor come into contact with Americans. The presidente was an intelligent man, having property interest in his town, and I believe was endeavoring to do all in his power to rebuild it after its destruction during the insurrection about a year ago.

The leader of the adjoining town of Matnog had been asking the Commission that Magdalena be reunited with it as a barrio, as formerly, which movement was naturally resisted by Magdalena, and the presidente of the latter was doing all in his power to keep his town in good condition, as he had been told that his conduct and that of his town would decide whether Magdalena would remain as it was, independent, or return to Matnog as a barrio. I state this to show that he probably knew and realized that it was of vital interest to him not to act in any way contrary or hostile to the existing government. For the purpose of consulting with me on the above matter he came to Sorsogon in the latter part of September, and while here the disturbed portion of the province was pretty well patrolled by the military, and officers and soldiers passing through Magdalena did not meet the presidente, he being here. At the regular quarterly assembly of the presidentes at the capital in October I brought to their attention the conditions existing at the time, and explained to them that they themselves were largely to blame, endeavoring to impress upon them that if they ever wanted the province to advance, or if they cared to live in peace and tranquillity they would have to take matters into their own hands and work for the public good, and that to their efforts would be largely what might be accomplished in this direction. This is mentioned to show that if the presidente was not absolutely bad it is probable that on his return to his town he would have tried to do right. At the assembly I appointed a committee of seven prominent men from the towns involved and directed them to take such action themselves as they thought best toward capturing the leaders, which they did, bringing in later nearly all the leaders.

One of this committee, Francisco Frivaldo, of Magdalena, after a day in the mountains looking for bad men, November 5, returned in the evening with several prisoners and a lot of anting anting papers. On arrival went straight to the presidente's house to report. During the presidente's absence in Sorsogon the town had been temporarily garrisoned by a detachment of Company L, Fifteenth Infantry, commanded by a corporal, and while the presidente was examining the prisoners and papers just brought in, the corporal and some of the detachment entered, and on seeing the papers, concluded the presidente was an insurgent and arrested him and all present, later taking them to Matnog, to Lieut. F. W. Harker, Fifteenth Infantry, commanding the company. Lieutenant Harker does not understand Spanish. I do not think any of his men have a sufficient knowledge of the language to interpret well. Lieutenant Harker stated to me that the presidente when brought before him admitted guilt and declared his willingness to confess, but when questioned stated that he had not

confess. A case of malinterpretation. According to the sworn statement of Quintin Gamit, secretary of Santa Magdalena, on arrival of Matnog from Magdalena, they were all put to work on the streets.

The next day the presidente and Gamit were taken out in the woods and hung until their feet were nearly off the ground and were asked if they would "talk," to which they replied that they would, naturally. They were returned to Matnog, where the secretary was again questioned by Lieutenant Harker as to the conduct and character of the presidente, giving, according to his (the secretary's) statement, satisfactory answers. He was returned to the jail, and later he, with the presidente and Ciriaco Funes, a policeman of Magdalena, were again taken to the hills; being compelled to carry a rope, a pick, and a pade, and on reaching a certain spot the presidente was put to work digging what would appear to be a grave. Then the presidente was bound and shot in the back. The secretary states he saw all of this himself, and also saw the policeman bound in the same way and a little later heard shots, which he presumed were fired at the policeman, as he was also killed. The only eyewitness to the murder, therefore, was the secretary, other than the soldiers. I inclose herewith the sworn statements of Gamit and Francisco Frivaldo, which I believe to be in the main points true.

It is claimed that the presidente and policeman attempted to escape, and the soldiers concerned have made affidavits to this effect, which affidavits are inclosed, but I believe this to be absolutely untrue. The presidente was an old man, and being so well known throughout the province, he would know it to be impossible for him to get away if he tried, as he would certainly be recaptured. It is also claimed that the presidente was in collusion with the insurgents of Samar. (See letters of Lieutenant Harker and Captain Wittenmyer, inclosed.) This is not true and can not be substantiated. In regard to his loyalty before his visit to Sorsogon, I do not believe that he was disloyal, but rather think that he failed in his duty at times like all the other natives, but that in itself is not surprising, nor could he be much blamed, as he was absolutely unsupported, having nothing but unarmed and unpaid police for the protection of himself and town, and if he had endeavored to arrest and turn over to the authorities all bad men in his municipality he most certainly would have been killed by his own people, and he knew it. On the other hand it can probably be proven that he received a consideration for the release of two native prisoners and that he sheltered some of the anting anting people after their attacks upon the soldiers. The testimony of Quintin Gamit is weakened somewhat by the fact that there is little doubt that he was implicated to a certain extent in the anting anting movement, if the affidavits of Francisco de la Cruz and Ricardo Veguilla, supposed leaders of the insurgents, who are now prisoners, can be believed. These affidavits are also inclosed. Gamit is an ignorant man and may have been led to the movement by others; he certainly was not with them long. I also inclose all other affidavits and papers bearing on the case for the use of the Commission.

This matter was not officially reported at the time by me, as I thought best to await a reply to my requests to the military authorities for the results of their investigation, they claiming at the time that the arrest and subsequent killing were justifiable, and I considered it best to have both sides of the question when the case was reported.

Upon careful consideration of the whole question, from my knowledge of the conditions existing at the time and from my personal knowledge of those most directly concerned, I am forced to the opinion that the original arrest of these men was absolutely unwarranted and possibly due to malinterpretation and overzealousness on the part of the corporal; that the two prisoners killed did not attempt to escape and that their killing was murder.

Very respectfully,

J. G. LIVINGSTON,
Governor

PROVINCE OF SORSOGON, P. I.
OFFICE OF THE GOVERNOR,
Sorsogon, November 8, 1901

COMMANDING OFFICER TROOPS IN THE FIELD,
Yrocin, P. I.

SIR: I have the honor to inclose herewith copy of a letter from the vice-president of Santa Magdalena, reporting the arrest in that town by a corporal of the president and the secretary.

I request that an immediate investigation be made and that if there is not absolute proof of their disloyalty that they be released at once, and, further, that instructions be given to all detachments that no arrests of civil officers be not made unless there is absolute proof of their disloyalty or by direct order of an army officer. In any cases where there is a suspicion of the loyalty of civil officers, I request that same be reported to me, and the necessary action will be taken by the authorities.

Please advise me by return of bearer the present status of the prisoners.
Very respectfully,

J. G. LIVINGSTON, *Governor*

YROCIN, P. I., *November 9, 1901*

J. G. LIVINGSTON, *Governor*.

SIR: I have the honor to acknowledge receipt of your letter of November 8.

In reply will say that a detachment from Matnog reached here yesterday afternoon with 19 prisoners, and stating that Isidro Valles, vice-president of Sta Magdalena, and Ciriaco Ponis, a policeman, had attempted to escape and had been killed.

I sent the detachment back this a. m. with orders not to fire unless attacked, and not to take a prisoner or molest natives.

Also sent a letter to Commanding Officer Matnog, stating that Captain W. would be here to-morrow and would probably want a report, etc., and asked him to send it back with detachment I sent.

I have shown your letter to chief constabulary here and asked him to investigate secretary, but I have no jurisdiction in the matter of releasing prisoners sent in.

Your letter, though addressed to me, was probably meant for Captain Wittenmeyer therefore I send it to him in Bulan at once.

Very respectfully,

FRANK S. BURR,
First Lieutenant, Fifteenth Infantry, Commanding

[First indorsement.]

SORSOGON, PROVINCE OF SORSOGON, *November 11, 1901.*

Respectfully forwarded to the commanding officer, Fifteenth Infantry, Sorsogon, P. I., with the request that a full and rigid investigation of the killing of the presidente of Santa Magdalena be made.

My reports state that on the 5th instant one of the native commissioners appointed for the purpose of capturing the leaders and others implicated in the recent "anting anting" movement in this province returned to Santa Magdalena with several suspects and took them to the presidencia to report to the presidente. That the corporal in command of the detachment at that place entered the building with some of his men, took the commissioner, Francisco Frivado, the suspects, and also the presidente, Isidro Giallanosa, and the secretary, Quintin Gamit, prisoners, and, I presume, started to Yrocin with them. The within communication is an answer to one I sent at once upon receipt of the above report, copy of which is inclosed.

As the arrest of these civil officers by a corporal was, to say the least, questionable, and as it has resulted in the death of the official head of the town, I request that the matter be most thoroughly sifted, and if it develops that the presidente and policeman did not attempt to escape, a proceeding I consider most unlikely, that those guilty of the shooting be brought to justice.

J. G. LIVINGSTON.

First Lieutenant, Artillery Corps, Governor.

MATNOC, P. I., *November 7, 1901.*

Captain WITTENMEYER.

Fifteenth Infantry (commanding troop in field).

SIR: I have the honor to report that on the night of November 4 the corporal in charge of detachment of my company at Santa Magdalena entered the house of the presidente of that place and found a lot of "anting anting" papers in his possession. The corporal arrested him. The corporal searched his house and found more papers. I had received information the day before that the presidente was sending money and rice to Samar, and when he was questioned about this stated he would make a written statement of everything he knew about the anting anting people and the sending of supplies to Samar.

Later, in the vicinity of Matnog, he and a policeman of Magdalena attempted to escape, and both were shot and killed.

I regret this very much, as I think he could have given very valuable information, and, besides, he was a civil officer.

Very respectfully,

F. R. HARKER.

First Lieutenant and Battalion Adjutant.

Fifteenth Infantry, Commanding Post.

(NOTE.—Following appears on back of above:)

YROCIN, *November 12, 1901.*

MY DEAR LIVINGSTON: I send you this for your information. I leave at 1 p. m. for Matnog to make a personal examination and will report to you later. People here think the soldiers were right, and from what I knew before I think so, too. No more soldiers will be

sent out at all unless circumstances require it later, and then the Commission will be given due notice. Please keep this letter for me. I shall probably come over and see you in person this week some time. No officials will be arrested unless by a commissioned officer or his direct orders, and then he will be very sure of his reasons for so doing.

Yours,

WITTENMYER

BULAN, P. I., November 9—2.30 p. m.

J. G. LIVINGSTON,

Governor Province of Sorsogon, Sorsogon, P. I.

SIR: I have the honor to acknowledge receipt of your letter of 8th instant at this moment. I will immediately investigate the case as stated by you and will let you know all the facts at the earliest opportunity.

As to instructions to parties in the field, there is no necessity to give them, as all soldiers are now at their proper stations, and they had careful instructions previously concerning their authority.

This letter of yours is my first notice of their arrest, and I will let you know the facts as soon as I learn them.

Very respectfully,

E. WITTENMYER.

Captain, Fifteenth Infantry, Commanding.

YROCIN, November 11, 1901.

J. G. LIVINGSTON,

Governor Province of Sorsogon, Sorsogon, P. I.

SIR: I have the honor to report that I have just returned from Matnog, and after a personal investigation, I am satisfied that the arrest of the presidente of Santa Magdalena was not only justifiable but that the soldiers who made the arrest did their duty. His subsequent killing was unfortunate, but it was done by a sentinel in the discharge of his duty, and would not have been done had he not tried to escape.

This presidente was guilty of the worst sort of treason. A gunboat ran down and captured a boat of his bound for Samar with 5 tons of rice. He was sending money to Samar through his wife. He helped care for and feed three men wounded in the first fight at Gati for two months, and told us there were no bad men in his pueblo, though more than 75 have been arrested and nearly all acknowledged being in the middle of the fights at Gati. He sent information and allowed one of the wounded men to escape from his town when directed by H. P. Newell, inspector, to have him arrested.

The other two men spoken of in your letter were released by Lieutenant Harker, commanding at Matnog, but since their release Francisco de la Cruz tells Inspector Turnbull that the secretary of the town was in the second fight at Gati and was with him frequently in the mountains. I shall direct his arrest at once.

Very respectfully,

E. WITTENMEYER.

Captain, Fifteenth Infantry, Commanding.

PROVINCE OF SORSOGON, P. I.,
OFFICE OF THE GOVERNOR,
Sorsogon, November 18, 1901.

The COMMANDING OFFICER,
Fifteenth Infantry, Sorsogon, P. I.

SIR: I have the honor to inform you that on November 5 the presidente of Santa Magdalena, Isidro Gallanosa, was arrested in that town by the detachment stationed there. He was afterwards taken to Matnog and was subsequently killed.

I request that a thorough investigation be made into the causes which led up to this arrest and the subsequent death, and that the result be made known to me as soon as possible.

Very respectfully,

J. G. LIVINGSTON, *Governor.*

[First Indorsement.]

SORSOGON, SORSOGON, P. I., *November 19, 1901.*

Respectfully referred to Capt. E. Wittenmeyer, Fifteenth Infantry, for investigation and report, as requested within.

By order of Major Cornish:

W. MAY,
Captain and Adjutant, Fifteenth Infantry, Adjutant.

[Second Indorsement.]

BULAN, P. I., *January 4, 1902.*

Respectfully returned to commanding officer of district for field operations, attention invited to inclosures 1, 2, 3, 4, and 5. Inclosure No. 1 is the affidavit of the noncommissioned officer who made the arrest, relating the circumstances. Nos. 2, 3, and 4 are affidavits showing how prisoner was killed. No. 5 is affidavit of native prisoner now in my possession, stating that this presidente was paid for letting him escape.

I wish to call your attention to the fact that at the time this occurred some 400 prisoners had been captured, most of whom were members of the anting anting society, and I have no doubt that this presidente was a member of this gang. It is a fact that can not be disputed that a company of anting anting from St. Magdalena was in the fight at Gati September 7, and some of their wounded were cared for by this presidente and his subordinates. There is no doubt in my mind but that he was guilty of inciting and sustaining insurrection and opposition against United States forces.

E. WITTENMEYER,
Captain, Fifteenth Infantry.

[Third indorsement.]

SORSOGON, SORSOGON, P. I., *January 8, 1902.*

Respectfully returned to the governor of Sorsogon Province, P. I., with report of Captain Wittenmeyer, Fifteenth Infantry, and seven inclosures, relating to the killing of the presidente of Santa Magdalena at Matnog, P. I., November 7, 1901, while Captain Wittenmeyer was in command of troops operating in the field.

L. A. MATILE,
Lieutenant-Colonel Fifteenth Infantry, Commanding.

[Inclosure No. 1.]

MATNOC, SORSOGON, P. I.,
DEPARTMENT OF NORTH PHILIPPINE

Personally appeared before me, the undersigned authority, one: George J. Tremmer, Company L, Fifteenth Infantry, who, being sworn according to law, deposes and says:

That during the late insurrection in this province he was in command of a detachment of Company L, Fifteenth Infantry, stationed at Santa Magdalena, P. I.

That on the night of November 4, 1901, his attention was called to a number of men going to the house of one Ysidro Gallanosa, presidente of the town.

That he thought their actions were suspicious, and he entered the house to see what they were doing.

That the house was full of men, and that the presidente was seated at a table writing.

That as soon as his presence was noticed the presidente attempted to hide what he had been writing.

That upon examining the papers on the table they were found to be "anting anting" papers.

That some of these papers were only half completed.

That to the best of his knowledge and belief the presidente was making these papers out when he entered the house.

That the presidente refused to answer any of the questions asked him in regard to these papers, and that all men in the house were therefore arrested.

That the presidente's house was searched the next morning, November 5, 1901, and more papers of the same kind were found.

That the prisoners were then sent to Matnog, P. I.

And further deponent saith not.

GEORGE J. TREMER,
Sergeant, Company L, Fifteenth Infantry.

Subscribed and sworn before me this 3d day of January, 1902.

F. W. HARKER,
*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Summary Court.*

[Inclosure No. 2.]

Personally appeared before me, the undersigned authority, Private Alfred Aldren, Company L, Fifteenth Infantry, who, being duly sworn according to law, deposes and says:

That on November 7, 1901, he was in charge of Ysidro Gallanosa, prisoner; that the said prisoner, Ysidro Gallanosa, attempted to escape and was fired upon and killed.

Further deponent saith not.

ALFRED ALDREN,
Private, Company L, Fifteenth Infantry.

Subscribed and sworn to before me this 11th day of November, 1901.

F. R. HARKER,
*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Summary Court.*

[Inclosure No. 3.]

Personally appeared before me, the undersigned authority, Private Mark Mims, Company L, Fifteenth Infantry, who, being duly sworn according to law, deposes and says:

That on November 7, 1901, he was in charge of Ysidro Gallanosa, a prisoner; that the said prisoner, Ysidro Gallanosa, attempted to escape and was fired upon and killed.

Further the deponent saith not.

MARK MIMS,

Private, Company L, Fifteenth Infantry.

Subscribed and sworn to before me this 11th day of November, 1901.

F. R. HARPER,

*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Summary Court.*

[Inclosure No. 4.]

Personally appeared before me, the undersigned authority, Sergt. George Hunns, Company L, Fifteenth Infantry, who, being duly sworn according to law, deposes and says:

That on November 7, 1901, he was in charge of Ysidro Gallanosa, a prisoner; that the said Ysidro Gallanosa attempted to escape and was fired upon and killed.

Further the deponent saith not.

GEORGE HUNNS,

Sergeant, Company L, Fifteenth Infantry.

Subscribed and sworn to before me this 11th day of November, 1901.

F. R. HARKER,

First Lieutenant and Battalion Adjutant, Fifteenth Infantry.

[Inclosure No. 5.]

En la casa cuartel del Capitan de la fuerza armada de este Destacamento del pueblo de Bulan Provincia de Sorsogon, a veintecho de Noviembre del mil nueve cientos uno. Ante el Senor Capitan de dicho Destacamento presente Ignacio Pulgar Filipino soltero de veiente anos de edad natural y vecino del pueblo de Magdalena de esta Provincia, del barangay de Don Mariano Porte, hijo de Andres y de Tomasa Gialan, carese de cedula personal del presente ejercicio 1901 y declaro que en el mes de Octubre ultimo que no se recuerda la fecha que estubo en dicho pueblo de Magdalena el Capitan del cuerpo Constabulario, el Presidente del mismo Don Isidro Gallanosa, ha dicho al padre del que declara de que dicho Senor Capitan Constabulario lo mandaba coger al declarante y al propio tiempo dijo a su citado padre que para remediarlo de no poder mas llevar a dicho Senor Capitan, ofrecio dicho Senor Presidente que se le diera alguna profina como asi en efecto lo hizo su citado padre, dandolo al mismo Senor Presidente un cerdo que pueda valer mas o menos de doce pesos que en efecto ya no se le ha hecho caso de llevar mas dicho Presidente al tantas veces citado Senor Capitan Constabulario.

1901, before the captain of said detachment appeared Ignacio, a Filipino, unmarried, 20 years of age, a native, a resident of Magdalena, of this province, of the vessel (barangay) of Don Mariano Porte, son of Andres and Tomas Galan—he has a personal certificate for 1901—and testified that during the month last, he does not remember the date, there was in said town Magdalena, the captain of the constabulary; the president of the Isidro Gallanosa, said to the father of the witness that he b said constabulary captain to arrest the witness, and at the he told his father that in order to avoid this and prevent from taking him the president offered to give him a tip, father did, giving to the president a pig, worth about 12 pesos was not done because said president brought the many times constabulary captain.

That the statements made are the truth pursuant to the and all above written having been translated by the interpreter agreed to the same, ratified and signed it, with those this day

IGNACIO
MAMERTO

Sworn and subscribed to before me this 28th day of 1901.

J. K. MOORE,
*First Lieutenant and Battalion Adjutant
Fifteenth Infantry, Trial Officer Summary*

(Translated by F. L. Joannini. The Spanish text is without notation and very badly written; therefore it may be possible said Spanish has been misunderstood.)

[Inclosure No. 6.]

dos Policías Filipinos del pueblo de Matnog que en su día pasaron en dicho sitio; apoderandoles de las correspondencias que llevaban dicho policías, las dos pajareras y un revolver con algunas balas de dichas pajareras y revolver, en que dichas correspondencias las mando quemar en dicho monte de Bamban su Comandante Francisco de la Cruz, por estarse muy creídos al Anting Anting que estaba dando entonces dicho de la Cruz tanto al que declara como a todos sus compañeros inclusive un tal Quintin Ganiet que voluntariamente con otros compañeros ha presentado al expresado de la Cruz y cinco días ha estado con este en dichos montes, según sus noticias. Que lo declarado es la verdad en cargo del juramento prestado; se le leyó lo escrito interpretandosele lo halló conforme, ratificó el contenido y firma con los testigos presentes de que certifican.

RICARDO VEQUILLA.
MAMERTO HALIM.

Sworn and subscribed to before me this 24th day of November, 1901.

J. K. MOORE,

*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Trial Officer Summary Court.*

In the official office of the captain of the armed force of the detachment of this town of Bulan, of the province of Sorsogon, on the 24th day of November, 1901. Before said captain appeared Ricardo Bequilla, a Filipino, 20 years of age, unmarried, a native of the town of Luban, of the province of Mindoro (he has no personal certificate), and declared: That he has been for two months with a certain Francisco de la Cruz, with the said Captain Isaac, and some others, in the suburbs of Bamban, among whom was one called Quintin Ganiet de Magdalena, together with 20 others with the witness, who had killed, in the suburb of Sesigon, within the limits of said Bamban, the two Filipino policemen of the town of Matnog, who at some time passed through said place; the correspondence which said policemen bore were seized, as well as the two "pajareras" and a revolver, with some cartridges for said pajareras and revolver, when said correspondence was ordered burnt in the forest of Bamban by their commander, Francisco de la Cruz, for being very anting anting, which was then giving then said de la Cruz, as well as the witness and all his companions, including a certain Quintin Ganiet, who voluntarily, with others, appeared before the said de la Cruz, and has been with the latter five days in said forests, according to his reports. That the statements made are the truth, pursuant to the oath taken; the foregoing was read to him, and interpreted to him, and he agreed thereto, ratified it, and signed with the witnesses present, to which they certify.

RICARDO VEQUILLA.
MAMERTO HALIM.

Sworn and subscribed to before me this 24th day of November, 1901.

J. K. MOORE,

*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Trial Officer Summary Court.*

(Translated by F. L. Joannini. The Spanish text has no punctuation, and is furthermore very badly written; therefore it may be possible that it has been misunderstood by the translator.

[Inclosure No. 7.]

En la Oficina Oficial del Sr. Capitan de la fuerza armada del Destacamento de este pueblo de Bulan provincia de Sorsogon a veintecuatro de Noviembre de mil novecientos uno: Ante dicho Sr. Capitan presente Francisco de la Cruz Filipino de veintecinco anos de edad, casado natural del pueblo de Iloilo, carese de cedula personal y declaro: que untal Quintin Ganiet del pueblo de Magdalena de esta dicha provincia, voluntariamente le ha presentado con otros cuatro companeros que el que declara ignora sus nombres, en el sitio o monte denominado Aroroy y ha estado en dicho sitio con el declarante cinco dias que segun su calculo die dias despues del ultimo ataque ocurrido en la visita de Gate de la comprehencion de este de Bulan, aqui nes el que declara les pregunto apenas que se le presentaron, el objeto por que han ido con el en dicho monte de Aroroy y si al propio tiempo saben la intencion que el que declara tiene por que ha estado en dicho monte, los que le contestaron que noticias tubieron del Anting-Anting que el que declara estaba entonces dando con el fin de hacer Revolucion.

Que lo declarado es la verdad en cargo del juramento que hoy a efecto lo presto; se le leyo lo escrito interpretandosele lo hallo conforme; ratifico el contenido y no firma por decir no saber en que puso una cruz en senal de la verdad.

FRANCISCO DE LA CRUZ (his x mark).
MAMERTO HALIM.

Sworn and subscribed to before me this 24th day of November, 1901.

J. K. MOORE,
*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Trial Officer Summary Court.*

In the official office of the captain of the armed force of the detachment of this town of Bulan, province of Sorsogon, on the 24th day of November, 1901, before said captain appeared Francisco de la Cruz a Filipino, 25 years of age, married, a native of the town of Iloilo; he has no personal certificate, and states that a certain Quintin Ganiet of the town of Magdalena, of this said province, voluntarily appeared with four other companions, whose names the witness states he ignores in the place or forest called Aroroy, and he has been at said place with the witness, which, according to his calculation, ten days after the last attack which occurred in the visit (?) of Gate within the limits (comprehension) of this Bulan, of whom the witness asked as soon as they appeared the purpose of their going into said forest of Aroroy, and if at the same time they knew the intention of the witness for being in said forest, who answered him that they had information of the anting-anting which the witness was then giving for the purpose of raising a revolution.

That what is stated is the truth, pursuant to the oath taken for the purpose; the foregoing was read to him and interpreted, to which he agreed; he ratified the same and does not sign, saying that he does not know how to do so, and affixed a cross as a mark of the truth.

FRANCISCO DE LA CRUZ (mark).
MAMERTO HALIM.

Sworn and subscribed to before me this 24th day of November, 1901.

J. K. MOORE,
*First Lieutenant and Battalion Adjutant,
Fifteenth Infantry, Trial Officer Summary Court.*

SORSOGON, 16 noviembre, 1901.

Exámen del testigo Quintin Gamit con asistencia del Secretario del Gobierno y del interprete nombrado D. Quirico Olaguer.

GOBERNADOR. Jura V. decir la verdad en todo lo que supiere y se le interogare.

TESTIGO. Juro.

GOBERNADOR. Diga V. por sus circunstancias personales.

TESTIGO. Me llamo Quintin Gamit, vecino de Santa Magdalena, mayor de edad, Secretario del Municipio de Santa Magdalena.

GOBERNADOR. Manifieste V., si algo sabe, acerca de la muerte del Presidente de Santa Magdalena D. Isidro Gallanosa.

TESTIGO. Que el día 5 como las 6 pasadas de su noche, el Presidente Gallanosa recibió un circular procedente de Matnog que resultó ser del Gobierno de Sorsogon citando el dicho Presidente para la asamblea para el veinticinco del mes de octubre, quien á su vez me ordenó que copiara dicha orden en el libro correspondiente; y estando yo haciendo la copia llegaron los Sres. Francisco Frivaldo, Márcos Gabito, Salvador Pongo y Forte y Maximino Pongo, comisionados que fueron á coger en los bosques á los perturbadores de la paz, trayendo en aquel instante cinco individuos presos llamados Silvino Biton, Juan Presmido, Andrés Gujo, Pantaleon Gabion y otro vecino del pueblo de Irosin que ignoro su nombre.

El Presidente Gallanosa, en vista de aquello, preguntó á los comisionados de donde han venido y que traían, á lo que contestó el comisionado Francisco Privaldo que acababan de venir de los bosques y que traen consigo cinco individuos y tambien varios papelitos que se encontraron en poder de los mismos presos y lo llaman bula ó Anting anting; en ésto se levantó el Presidente para tomar nota de sus nombres; más apenas consignaba en el papel dos nombres, llegaron unos diez soldados americanos del destacamento de Santa Magdalena y un cabo comandante y éste al ver los papelitos, tomó uno y después de haberlo contemplado se lo entregó al Presidente y se bajó. Dentro de un breve rato volvió el mismo cabo americano con varios soldados y pidió otra vez los papelitos al Presidente los que vistos por aquel preguntó quien los había hecho á lo que contestó el mencionado Presidente que segun acababan de informarle fueron encontrados por los comisionados Francisco Privaldo y otros en poder de los presos.

Oída ésta manifestacion ordenó el cabo americano que nos bajáramos todos los que entonces nos hallabamos en la casa del Presidente y nos condujeron al Tribunal ó á la Presidencia metiendonos acto continuo en la cárcel escepcion hecha del Presidente porque le esarba tomando declaracion el cabo pero que después de algunos instantes fue introducido tambien en el mismo calabozo, donde estuvimos en toda la noche; mas al día siguiente fuimos remitidos el Presidente, Santiago Forte, Mariano Forte, Juan Forte, Ciriaco Forte y yo como tambien los comisionados y los cinco individuos cogidos por estos últimos en los bosques al pueblo de Matnog y nos pusieron á todos en la cárcel.

Después del desayuno en aquel mismo día nos hicieron trabajar en las calles públicas hasta la puesta del sol, metiendonos después en el mismo calabozo. Al día siguiente vuelven los americanos á sacar á todos los presos para el trabajo; mas á eso de las nueve del día, ó sea el día siete del mes actual, hora en que estabamos en el trabajo, un soldado americano llamó al Presidente, á Ciriaco Funes y á mí, el que unido después con varios soldados se ordenó para que nos marcháramos

con direccion á un camino que conduce al pueblo de Irosin, pero antes de ésto tuvieron que cargar sus fusiles, y otro americano metió en el bolsillo un cordel.

En cuanto llegamos á un sitio de manglares entre nipales hicieron internar en primer lugar al Presidente, luego á Ciriaco Funes y despues á mi, pero en distintas partes cada uno de nosotros. Una vez yo conducido á un sitio de manglares por cuatro americanos, siendo uno de éstos interprete, me colocaron en el cuello un lazo corredizo que estaba pendiente de un arbol, y me colgaron de poquito á poco hasta apenas alcanzaban mis pies en la tierra; en éste estado me preguntó el interprete en estos términos “cosa quiere hablar mucho?” á lo que contesté que sí Señor; y volvió á decir el mismo interprete “cosa quiere hablar al comandante?” y yo contesté que sí Señor; en esto em quitó dicho interprete el lazo del cuello conduciendome acto seguido á la casa del Comandante, y sin que yo supiera en aquellos instantes á donde los otros americanos llevarán al Presidente y á Ciriaco Funes. Una vez yo en presencia del Comandante me preguntó éste Señor en los terminos siguientes bajo la misma interpretacion del interprete arriba mencionado: “Cosa el conducto del Presidente contra americano?” yo contesté que no. Volvió á preguntarme “como V. y el Presidente, segun dice el cabo escribo en casa anting anting en papalitos?” á lo que contesté que no Señor; que lo que estaba yo escribiendo cuando llegó el cabo era copia de una orden circular del Sr. Gobernador, y el Presidente estaba tambien relacionando ó apuntando en papel los nombres de los que fueron cogidos en los montes por los comisionados.

Oido ésto, reanudó la pregunta en estos terminos: “No que niega V. sabes tu hay mando ese Presidente de Santa Magdalena tres paraos embarcaciones para compro arroz de Bulusan, Gubat y Matnog, todos para sustento á los insurrectos de Samar y uno de Santa Magdalena?” á lo que contesté que si van paraos del chino Vicente Ubaldo y varios individuos para los pueblos de Gubat y Bulusan para comprar arroz, éste arroz los vende el chino en el pueblo y los individuos que van con él compran para uso y el Presidente compra tambien del chino de dos á cinco cavanos para su uso. Volvió otra vez á preguntarme si efectivamente un parao de allí ha ido á Samar llevando arroz? Contesté que nó, si bien ha ido el parao de Salvador Gallanosa Camposano á la isla de Capul es con el fin de comprar carabaos y caballos, llevando tan solo arroz suficiente para avío. Despues de ésto volvió á meterse en un calabozo aparte que los demas presos, y allí ví las ropas que vestía el Presidente cuando fuímos conducidos á los manglares, moños y extendidas en una tira de bejuco; y á eso de la una pasada de la tarde volvió á llamarme un soldado americano y á la salida ví á mi preso vestido de traje americano juntamente con Ciriaco Funes al lado de los soldados; y en aquel momento dispuso un soldado para que el Presidente lleve un rollo de mecate, tamaño del dedo pulgar su grosor, á mi el sapapico y á Ciriaco Funes una pala, y despues se unieron varios soldados á ellos y nos condujeron hácia el camino de Irosin, denominado Matblad, y una vez en éste sitio nos hicieron subir en un pontecillo hecho de cogon, uno de los soldados me quitó el sapapico que llevaba entregó al Presidente sacando de éste el rollo de mecate y le ordenó que abriera un hoyo mas bien largo que ancho con ayuda del P. quien manejaba la pala, y en ésta facia he visto que el Presidente

naía de cansancio, entonces éste Señor entregó el sapapico á la Policía haciéndole á este entender por medio de señas que le releve en su faena, como en efecto lo hizo, pero apenas había desempeñado el trabajo del Presidente, un soldado empujó al policía con el pié sacando de éste el pico que siguió el soldado de referencia á manejar; y después de un momento un soldado llamó al Presidente llevando á un sitio mas adelante que distaban ocho brazas donde se hallaban seis soldados regresando después en el sitio donde estaba y los otros tres se quedó con el Presidente, que uno de ellos trincó de codo á éste y le hizo poner de rodillas, una vez puesto así se separaron los tres soldados á una distancia de cinco brazas y descargó á la vez tres tiros sobre la espalda del Presidente, mas como estos vieran que dicho Presidente no estaba del todo muerto le descargaron otros dos tiros á la vez retirándose éstos del sitio y se unieron con los soldados que estaban conmigo y me hicieron separar del sitio para colocarme tambien de rodillas y trincado como el anterior á una distancia de cinco brazos del sitio donde estaba y me hicieron poner de rodillas colocandose tres soldados á mi espalda y en ésta actitud me acercó el interprete preguntandome en los términos: "cosa quiere hablar mucho?" á lo que contesté si señor y volvió á preguntarme "cosa quiere V. hablar al comandante?" contesté si señor; y después me llevaron hacia el pueblo y en el camino ví á Ciríaco Funes tambien de rodillas y amarrado con seis soldados que apenas nos habíamos separado de éste menos de diez brazas percibí tres tiros que yo creo era para Ciríaco, si bien no había visto por no haber dirigido la vista hacia el suceso. Una vez que llegamos en el Tribunal del pueblo se quedaron otros soldados y me condujeron los dos ante el comandante quien me dijo si es cierto que yo queria declarar, y éste señor me advirtió que dijera la verdad sin aumentar ni quitar preguntandome después de ésta advertencia por la conducta secreta del Presidente, si es cierto que éste trabajaba en contra del Gobierno americano, á lo que contesté que nó. Volvió á preguntarme por los otros del pueblo si trabajan de acuerdo con el Presidente en contra del mismo Gobierno y contesté otra vez que nó. Después me preguntó si conocia yo á los comisionados donde se encontraban éstos así como los presos, y como yo contestara que estaban en la cárcel, el comandante y yo fuimos al espresado establecimiento y empecé á indicar á uno por uno; ordenando después dicho señor que salieran los comisionados los que conmigo fuimos de orden del Comandante á la casa de éste donde nos libró la libertad, quitandose los demas presos al pueblo de Irosin.

GOBERNADOR. Diga V. si al entrar el cabo por la primera vez en la casa del Presidente trataba éste de esconder los papelitos denominados "anting anting?"

TESTIGO. No trataba de esconder antes el contrario en aquel mismo momento que llegó el cabo el Presidente formaba relacion de los individuos cogidos para entregar al cabo arriba expresado con los papelitos llamados "anting anting."

GOBERNADOR. Diga V. si presentandoles los tres americanos, que según V. han disparado los tiros al Presidente, los conocería V.

TESTIGO. No me es fácil conocerlos porque en aquellos instantes estaba yo casi sin ánimo, creyendo que me iba á caer la misma fatalidad que el Presidente.

Que lo declarado es la pura virtud del juramento que prestó; y

Olaguez:

GOVERNOR. Do you swear to tell the truth with respect to anything that you may be interrogated upon?

WITNESS. I do.

GOVERNOR. State your personal status.

WITNESS. I am named Quintin Gamit, a resident of Santa Magdalena, of lawful age, secretary of the municipality of Santa Magdalena.

GOVERNOR. State, if you know, anything you know of the death of the president of Santa Magdalena, Don Ysidro Gallanosa.

WITNESS. On the 5th, at about 6 o'clock at night, President Gallanosa received a circular from Matnog, which was from the governor of Sorsogon, summoning the said president to the convention of the month of October, who, in turn, ordered me to order in the proper book, and while I was doing this, Francisco Frivaldo, Marcos Gabito, Salvador Pongo y Forte, and Pongo, commissioners who were sent to secure the disturbance of the forest, arrived, bringing with them five individuals for arrest, named Silvino Biton, Juan Presmido, Andrés Gabion, and another resident of the town of Yrosin, whom I do not know.

The president, Gallanosa, in view of the foregoing, asked the commissioners where they came from and who they had with them, to which the commissioner, Francisco Frivaldo, replied that they had just come from the forest, and that they had with them five individuals and also several small pieces of paper which they found in the possession of the parties arrested, and which were called "bulletin." At this, the president arose to make a note of the names, but had hardly written two names on the paper when soldiers arrived belonging to the detachment at Santa Magdalena, a corporal in command. The latter on seeing the little pieces

the calaboose, where we remained all night. On the following day the president, Santiago Forte, Marinao Forte, Juan Forte, and Ciriaco Forte, and I, as well as the commissioners and the five prisoners arrested by the latter in the forest, were conducted to the pueblo of Matnog and all of us were put in jail. After breakfast on the same day they made us work in the streets until sundown, returning us afterwards to the jail. On the next day the American soldiers took all us prisoners out to work, but about 9 o'clock a. m. on the 7th of the month, while we were still at work, an American soldier called the president, Ciriaco Funes, and myself, and together with several soldiers, ordered us to march in the direction of a road leading to the pueblo of Yrosin; but before doing this they loaded their guns, and another American put a rope in his pocket. When we reached a mangrove swamp, amid nipa palms, they ordered the president to go in the forest, afterward Ciriaco Funes, and later myself, but to different places, each one of us.

I having been conducted to a point in the mangrove swamp by four Americans, one of them being an interpreter, they placed a rope round my neck with a running noose which was hanging from a tree, and then raised me little by little until my feet barely reached the ground. In this position the interpreter addressed me in these terms: "You wish speak much?" To which I replied, "Yes, sir." The same interpreter again asked me, "Want you to speak to commandante?" I replied, "Yes, sir." The interpreter then took the noose from my neck and immediately sent me to the house of the commandante and without knowing at that time where the other Americans had sent the president and Ciriaco Funes. Once having reached the presence of the commandante, he asked me in the following words, through the interpretation of the above-mentioned interpreter: "Actions of president against Americans?" I replied, "No." He again asked me, "How is it you and president, as the corporal says, write in house noting anting on little papers?" To which I replied, "No, sir. That I was writing when the corporal arrived was a copy of a circular order from the governor, and that the president was also noting or writing on a paper the names of those who were arrested in the forest by the commissioners."

Having heard this, he repeated the question in this way: "You no say you know that president of Santa Magdalena send three 'paraos' (boats) for buy rice from Bulusan, Gubat, and Matnog for feed insurgents of Samar and one for Santa Magdalena?" To which I replied that they were "paraos" belonging to the Chinaman, Vicente Ubaldo, and several individuals of the towns of Gubat and Matnog to buy rice; this is the Chinaman sells in the pueblo, and the parties who go with him buy for their own use, and the president also buys of the Chinaman from two to five "cabanes" for his use. He again asked me if it was fact that a "parao" had left there for Samar carrying rice; I answered no, and if the "paraos" of Salvador Gallonosa Camposano had gone to the island of Capul it was for the purpose of buying rabios and horses, carrying only enough rice for use on the trip. After this he again put me in a cell, apart from the other prisoners, and there saw the clothing the president had on when we were taken to the mangrove swamp, wet and spread over a rattan.

At about 1 o'clock in the afternoon an American soldier again called me, and on emerging I saw the president clothed in an American suit, together with Ciriaco Funes, at the side of two American soldiers. At that moment the soldier ordered the president to carry a coil of rope

continuing to use the same. A moment afterwards a soldier president and took him to place forward about eight fathoms there were six soldiers, three afterwards returning to the the president had been, and three remaining with him.

One of them bound his elbows together from behind and go on his knees; once in this position the soldiers with distance of about 5 fathoms and fired three volleys at the president; but as they noticed that the president was not they discharged two more volleys and withdrew from the joined the soldiers who were with me. They then took me the place to also put me on my knees and bound my arms of 5 fathoms from the place where I was; three soldiers me, and while I was in this position the interpreter asked me as follows: "You wish talk much?" To which "Yes, sir." He again asked me, "You wish talk commandant replied, "Yes, sir." They afterwards took me toward the on the road I saw Ciriaco Funes also kneeling and bound soldiers. We had hardly left them behind 10 fathoms with three shots, which I believe were for Ciriaco Funes, although not see, as I did not glance toward them. Having reached of the town, the other soldiers remained behind, and I was two of them before the commandante, who asked me if that I desired to make an explanation, and he told me to do without adding or taking from it and asking me afterward secret conduct of the president, whether it was true that he against the American Government, to which I replied, "No."

He again asked me as to the others in the pueblo, if they together with the president against the said government, replied "no." Afterwards he asked me if I knew the commandant and where they were to be found, as well as the prisoners; I replied that they were in the jail the commandante and I

ERNOR. State whether if the three Americans who fired the shot at the president were produced you would know them.

WITNESS. It would not be easy for me to know, because at the time I was almost unconscious, believing that I was to suffer the same fate as the president.

GOVERNOR. The foregoing is the truth pursuant to the oath taken and all written having been translated into the dialect of the locality by the interpreter he agreed to the same, ratified and signed it, together with the aforesaid interpreter, after the governor to which I, the undersigned, certify.

FRANCISCO FRIVALDO.*

QUIRICO OLAGUER, *Interpreter.*

SORSOGON, 16 de noviembre de 1901.

En presencia del testigo Francisco Frivaldo, con asistencia del interprete Quirico Olaguer y ante mi el Sr. Gobernador Civil.

GOVERNADOR. Jura V. decir la verdad en todo lo que supiere y se rogare?

WITNESS. Juro.

GOVERNADOR. Diga V. por sus circunstancias personales.

WITNESS. Me llamo Francisco Frivaldo, vecino del pueblo de Santa Magdalena de esta provincia, casado de 28 años de edad, propietario, con cédula personal pero que la tiene en su casa.

GOVERNADOR. Donde se encontraba V. en la tarde del día 5 del presente mes á eso de las 6?

WITNESS. En la casa del presidente del pueblo de Santa Magdalena.

GOVERNADOR. Explique V. clara y detalladamente el motivo porque se encontraba V. en dicha casa así como todo lo que allí ha ocurrido.

WITNESS. A eso de las 6 próximamente de la tarde de la citada fecha yo con varios compañeros de los montes á donde habíamos ido en comisión del Sr. Gobernador Civil de esta provincia para ir á los que perturbaban la paz; y una vez en el pueblo de Santa Magdalena, dije á mis compañeros que se retiraran á sus respectivas casas porque yo tenia que ir á la casa del Presidente de dicho pueblo para hacer cuenta de todo cuanto nos ha ocurrido en la expedicion, y al hacerle al propio tiempo entrega de las personas de los presos Biton, Pantaleon Gabion, Andrés Gajo, Apolonio Estopasi y Presniedo y de los papelitos denominados "anting anting;" y ya en la casa del Presidente, éste en cuanto me vió me preguntó donde veníamos y le contesté que veníamos de los bosques en cumplimiento de la comision y allí conseguimos coger á cinco individuos, uno de ellos llamado Silvino Biton al ser cogido llevaba en su bolsillo un papelito de forma redonda y que lo llaman "bula" y otros papelitos cuadrados que hemos hallado en una casucha del Silbo que lo llaman tambien "anting anting" con dos pantalones nuevos, una camisa sin mangas y con varias letras negras en el pecho y á medida que el Presidente se encontraba examinando los papeles y la bula indicados llegó el cabo americano del destacamento al pueblo de Santa Magdalena y preguntó al Presidente en tagalog: "¿Quién escribe este?"

GOVERNADOR. Contestó: "Han traído los comisionados que fueron á coger á los que perturbaban la paz y traen tambien consigo cinco presos;" y volvió á preguntar al Presidente: "¿Quién escribe este?"

GOVERNADOR. Contestó: "Han traído los comisionados que fueron á coger á los que perturbaban la paz y traen tambien consigo cinco presos;" y volvió á preguntar al Presidente: "¿Quién escribe este?"

* This name should be Quintin Gamit, according to the Spanish text.

toda la noche.

GOBERNADOR. Diga el testigo si el Presidente de Santa Cruz trataba de esconder los papelitos ó la bula en el momento que el americano llegó la vez primera en su casa?

TESTIGO. El Presidente no ha demostrado ni el menor intento de esconder los papelitos á que se refiere la pregunta, ni ni prendas que yo traía de los montes.

GOBERNADOR. Diga V. si alguna cosa más les ocurrió en el pueblo de Santa Magdalena en donde, segun V., les han informado de la fecha del suceso?

TESTIGO. Al dia siguiente, unos cinco ó seis Americanos vinieron á mi, al Presidente, Secretario, dos policias, Mariano Forti, los cinco presos que cogí en los bosques y otros muchos, al calabazo del pueblo siguiente Matnog después de haber tomado nota de nuestros respectivos nombres, y allí donde los mandaron á trabajar en todo el dia la fecha siguiente. Esta misma medida adoptaron con respecto á nosotros el dia siguiente y á eso de las nueve poco mas ó menos de la mañana, el Presidente, su Secretario Quintin Gamit y el pe Funes fueron sacados del trabajo por unos cinco Americanos conduciendoles hácia un camino que dirige para el pueblo. Serian las tres de la Tarde de la misma fecha volvieron á los tres arriba mencionados con los mismos Americanos; siendo que el Presidente tenia mojadas las ropas puestas en el cue de un breve rato noté que se han desaparecido los mismos dos no sabiendo á donde se habian ido; mas á eso de la tarde volvió á aparecer Quintin Gamit menos el Presidente Funes; y en la misma noche supe por referencia del Quintin Gamit y el Ciriaco fueron fusilados en aquella misma noche los Americanos; yo en tal situacion no me atreví más á pro

SORSOGON, *November 16, 1901.*

mination of the witness, Francisco Frivaldo, in the presence of interpreter appointed for these proceedings, Don Quirico Olaguer, before me, the secretary of the civil government.

ERNOR. Do you swear to tell the truth and all you know upon you are interrogated?

NESS. I do.

ERNOR. State your personal circumstances.

NESS. My name is Francisco Frivaldo, a resident of the town of Magdalena of this province, married, and 28 years of age, land-owning, and have a personal certificate, but it is at my house.

ERNOR. Where were you on the afternoon of the 5th day of this month about 6 o'clock?

NESS. In the house of the president of the town of Santa Mag-

ERNOR. Explain clearly and in detail your reason for being in the house, as well as all that took place there.

NESS. At about 6 o'clock on the afternoon of said date, the 5th, I went with several companions from the forests where we had gone on commission from the civil governor of this province to capture persons who were disturbing the peace; and when we arrived in the town of Santa Magdalena, I told my companions to go to their respective houses because I was obliged to go to the house of the president of the town to give a report of all that had occurred to us during the expedition, and at the same time to deliver to him the persons of our prisoners, Silvino Biton, Pantaleon Gabion, Andrés Gajo, Apolonio Asi, and Juan Presnedio, and of the slips of paper called "anting anting;" and when I entered the house of the president, the latter asked me whence we came, and I answered him that we came from the forests in compliance with the commission, and that we were successful in capturing there five persons; that one of them, called Silvino Biton, when captured had on his person a round slip which they call "anting anting" and other square slips which we found in a hut belonging to the prisoners and which they also call "anting anting," with two red pants, short without sleeves, and various black letters on the body; and when the president was examining the slips of paper and the bula of the president, the American corporal of the detachment of the town of Magdalena entered and asked the president in this manner: "Write this?"

The president answered: "Were brought by the commissioners who went to the forests, and they also brought with them five prisoners;" and the corporal again asked, "Do you know this (*sabe éste*)?" showing the slip to the president. The latter answered "no," and thereupon the corporal said: "I know a good deal about this (*yo mucho sabe éste*)," and thereupon he went downstairs, leaving the slip of paper. After a while he returned with several soldiers, ordering us from downstairs to all come down, and they took us to the court, the president, Don Gamit, myself, two policemen, and my three companions during the expedition, and they put us in prison, excepting the president who remained outside, searching the pockets of those who had entered the jail, and taking the commission I had and the statement of the prisoners of my companions; and as the president did not answer the question addressed to him as to the origin of the papers which the commissioners from the forests had, he was also put in the same jail (but) the others were not, and we remained there all night.

to the jail of the next town, Matnog, after they had taken their respective names, and we slept there, and we were forced to walk throughout the entire next day on the streets. The same day was taken with regard to us the following day, and about 9 o'clock in the morning of that day the president, his secretary, Quintin Gamit, the policeman, Ciriaco Funes, were taken from work by the American soldiers and taken on a road toward the town of Matnog. About 3 in the afternoon of the same date the three persons mentioned reappeared with the same Americans; note should be made that the clothes he wore were wet; after a short time I noticed that the three persons had disappeared, not knowing where they went.

But about 5 in the afternoon Quintin Gamit reappeared with the president and Ciriaco Funes. The same night I knew, by the statement of Quintin, that the president and Ciriaco had been shot by the Americans. In such a situation I did not dare put forward any details as to the details of their death, but on the following day Quintin Gamit, Marcos Gabito, Salvador Pongo y Forte, and Maximiliano were taken from prison by the commander, who gave us a release paper. That what is stated is the truth, pursuant to the statement taken, and having been translated to the dialect of the local interpreter, all the above was agreed to, the contents thereof were written and signed after the governor, to which I, the secretary, subscribed.

FRANCISCO FRIVOL
QUIRICO OLAGUER
/s/

**STATEMENT OF COL. ARTHUR L. WAGNER, ASSISTANT
TANT-GENERAL, U. S. ARMY.**

The CHAIRMAN. Have you just returned from the Philippines?

Senator CULBERSON. It is printed in answer to a Senate resolution, giving a communication from the War Department.

Senator BEVERIDGE. But, Colonel, perhaps it might be best for you proceed to describe in your own way before the committee, in an informal way, what a reconcentration camp, so called, in the Philippine Islands is; the extent, area, ground covered, the occupations and treatment of the people within the lines, and so forth.

Colonel WAGNER. In brief, a statement similar to that made in my report.

Senator BEVERIDGE. Yes.

Colonel WAGNER. In compliance with verbal orders of the commanding general of the Department of North Philippines I proceeded from Manila on the gunboat *Napindan* to Calamba; sent overland to Santo Tomas and Tanauan. There was a concentration camp of natives at each of these places. The camp at Santo Tomas had about 8,000 natives. It was about 2 miles long by a mile wide. The natives in this camp were assembled according to the barrios from which they came, all the people from a given barrio being on the same street, thus assuring neighbors being together and keeping up the community as nearly as possible as it existed in ordinary times. I made careful inquiries of the officers on duty at Santo Tomas and also made inquiries from the natives that were in the camp. I could find no evidences of want, and the people seemed to be surprisingly contented. The streets were clean, they were scrupulously neat; care was taken to guard against disease, and the sanitary conditions of the camp seemed to be carefully looked after.

Senator BEVERIDGE. You speak of the streets. What did they live in?

Colonel WAGNER. They lived in huts which they had themselves constructed, of the nature of what we would usually call nipa shacks.

Senator BEVERIDGE. That is the same character of buildings as those in which they lived in in their barrios?

Colonel WAGNER. Practically the same, excepting that they were smaller. The medical officer stationed at Santo Tomas had general charge of the native camp. Under him there was a native doctor, or *curandero*, in each barrio. The food supply had not run short, and to the best of my recollection they had a supply that would have lasted until the 1st of May. I would say here that if there is any discrepancy between my verbal statement and my report it is due to the fallibility of memory, that my report is correct.

Senator ALLISON. Is that printed?

Colonel WAGNER. Yes; it is printed.

Senator CULBERSON. It is Senate Doc. No. 347.

Senator BEVERIDGE. Perhaps to facilitate that at this point you speak of sanitary conditions. Who supervised and directed the sanitation of the camp?

Colonel WAGNER. The medical officer on duty at Santo Tomas, under the general direction of the commanding officer at that station.

Senator BEVERIDGE. Was the sanitation of the camp as good as the sanitation of the barrios from which the people came?

Colonel WAGNER. I have no hesitation in saying that it was much better, because there was a medical officer in this case to give the natives attention daily, whereas in the ordinary barrios people lived as they pleased.

the Philippines in the latter part of February what is regarded as extraordinary cold weather. The temperature fell to zero.

Senator McCOMAS. In February, 1901?

Colonel WAGNER. In February, 1902. It seems absurd, perhaps, to speak of that as cold weather; but when we recall that the Filipinos dress very lightly—that they are very light children frequently without any clothing at all, and live in that are intended merely as a protection from the sun and readily understand how they would feel this degree of cold.

The CHAIRMAN. What degree of cold did you say?

Colonel WAGNER. Fifty-six degrees above zero. That weather, I have been informed, that has ever been known in the Philippines.

Senator BEVERIDGE. Were those cases treated by medicine?

Colonel WAGNER. So I was informed. They were treated by practican-
[1]tes under the direction of the medical officer of the station.

Senator BEVERIDGE. Mr. Chairman, the Colonel is going to give, as it were, a recapitulation of his report, and refers to the report sets forth in full the facts; and to facilitate progresses, I thought perhaps best to ask a question or two.

The CHAIRMAN. Certainly; proceed.

Senator BEVERIDGE. Concerning food supplies, what was your observation in regard to that?

Colonel WAGNER. There seemed to be no immediate danger. The food supply at Santo Tomas was sufficient, to the best of my collection, to last until the 1st of May; at any rate, until mentioned forth in my report.

Senator BEVERIDGE. In what did it consist?

Colonel WAGNER. They are killed and eaten by the natives; they were available for food.

Senator BEVERIDGE. In the case of their being killed and eaten by the natives in these camps, I take it that the sanitation of which you speak rendered all danger of disease from decomposition of the remains null?

Colonel WAGNER. Practically so. I will state that the pigs among the Filipinos act as scavengers, and the presence of pigs in a camp is not an evidence of filth; but, on the contrary, an evidence, I might say, of sanitation.

Senator BEVERIDGE. I was speaking, in case they were killed.

The CHAIRMAN. It is 11 o'clock, and it is absolutely necessary for me to be on the floor. If the committee would like to continue with Colonel Wagner for an hour or so, I would be very glad to have them do so.

Senator BEVERIDGE. Concerning the liberty of the people within these so-called reconcentration camps, what have you to state about that, as to their personal freedom?

Colonel WAGNER. They were given complete personal liberty within the limits of what is known as the dead line, which varies in distance from 300 yards to 800 yards from the camp.

Senator BEVERIDGE. From the camp outside of the lines?

Colonel WAGNER. Outside the lines. They were allowed within those limits to go and come as they saw fit. They were required to retire to their quarters at 8 o'clock in the evening. They were allowed to go out beyond the dead line, provided they obtained passes from the commanding officer, and they were also allowed to go out beyond the dead line, accompanied by troops, for the purpose of hunting up supplies and palay. In regard to crossing the dead line without a pass, I would say that there was an outpost consisting of natives from each *barrio*, who were stationed on the different roads and trails leading from the camp and who had orders to send back any natives who attempted to go out without a pass.

In case they refused to obey them there was a saddled pony at the outpost by which they could ride back at once and give notification to the military authorities. The orders to the troops were to shoot anybody beyond the dead line who went out without a pass—or, rather, the natives were informed that those were the orders; but orders were given under no circumstances to shoot any decrepit person, child, or woman and to avoid shooting a person under any circumstances if the necessary end could be obtained without it. Those were in essence the orders. I don't pretend to give them exactly.

Senator BEVERIDGE. What was the occupation of people within these large areas, called reconcentration camps?

Colonel WAGNER. The occupation of the women was practically the same as it was at their ordinary homes. As far as the men were concerned, if not engaged in parties hunting for these caches of rice, they had practically nothing to do, excepting those who were herding cattle. They were allowed, however, to cultivate the ground within the limits of the dead line and also under the protection of military force to cultivate ground beyond these limits.

Natives were sent out under protection of troops to gather any standing crops that were still out; that is, crops that could be used for food. But how far this cultivation in either case was carried I do not know from my own observation.

Colonel WAGNER. The purpose was twofold: First, these people, who had been compelled by the ladrones to food and money and who were constantly complaining to ities about the impositions to which they were subjected by the people. Another reason was that we might get these these camps, where we could be sure of feeding them and time sweeping up all the food supplies in the rest of the order that these ladrones in the hills might be starved out.

Senator DIETRICH. But all these people in the islands and gather their food and their belongings and bring them to the camps, and there they had absolute protection against even the ladrones.

Colonel WAGNER. They were duly warned beforehand to put their property into these camps, and to come in themselves were informed that they would there be protected.

Senator McCOMAS. What has been the result in reference to the ladrones or insurrectos, or whatever they were?

Colonel WAGNER. The result has been this, according to observation. Last July I rode through the region mentioned from Calamba over to Batangas, and thence west to Balayan, in the region which we are considering. The condition of our forces there might be compared with that of a blind man. Our troops were more than able to annihilate, to completely destroy anything that could be brought against them in the shape of a force on the part of the insurgents; but it was almost impossible to get any information in regard to those people. The natives were afraid to give us any information because if they did they would be killed. There were instances known of natives being boloed in place in open day, where the deed was witnessed by the people. It was impossible to get anybody to testify in regard to the perpetrators.

Senator ROBERTSON. Remains of force?

serve notice upon these ladrones and these insurgents who would undertake to do violence to these people, that is, it was a dead line for those outside as much as it was a dead line for those inside, not to let those that were within escape!

Colonel WAGNER. It was, for the reason it was possible to observe everybody coming into as well as everybody going out of the camp. If a stranger came into the camp, he would be required to give an account of himself. Moreover, if this stranger was an assassin or a collector, it was a very easy matter for the headman of the barrio in the camp to report the matter to the commanding officer, and the man could be seized at once.

Senator McCOMAS. You started to say how it was before this measure was adopted, and then you were going on to say how it was afterwards.

Colonel WAGNER. I was going to say that the result has been that Malvar, who before could not be caught, who practically was invisible, was at last run down and surrendered. The result is that these hostile parties have disappeared from the provinces of Batangas and Laguna, and I understand that those provinces are to revert to civil government on the 4th of July.

Senator McCOMAS. Then these people will go back to their homes?

Colonel WAGNER. They have already gone back.

Senator McCOMAS. When did they go back?

Colonel WAGNER. They went back soon after I left the Philippines.

Senator BEVERIDGE. After Malvar was captured?

Colonel WAGNER. I think so.

Senator McCOMAS. Then there are no more of these camps?

Colonel WAGNER. I understand not.

Senator McCOMAS. The incident has been closed?

Colonel WAGNER. So I understand.

Senator DIETRICH. Then the result has been that by bringing all these people within these concentration camps, where they could bring their food supplies, and thereby take it away from the insurgents and ladrones, and also where they would be protected from this levy of money that was made upon them by insurgents and ladrones, you think it would have the effect of stopping this cruel warfare that is going on much sooner than otherwise would have been the case; and it has otherwise protected the lives and property of the natives?

Colonel WAGNER. I do; I think so. Moreover, I would say that I do not see how we could have stamped out the trouble there otherwise. It was a very embarrassing situation. As I have said, the island was practically in the possession of a blind giant; strong, but unable to see where to strike.

Senator BEVERIDGE. Referring to what you have said about people being bolded in the market places of their towns, would you say that this so-called dead line was in reality for them a life line?

Colonel WAGNER. In that respect it was.

Senator BEVERIDGE. Did the people themselves who were peaceably disposed object to coming in to the reconcentration camps? You spoke of their content.

Colonel WAGNER. Whether there was objection or not, I could not say from my own knowledge; I can only state the conditions that I saw there.

Senator BEVERIDGE. And the condition of content you speak of —

Colonel WAGNER. I would state also that that condition of content

• Senator BEVERIDGE. Do you know anything about the concentration camps in Cuba?

Colonel WAGNER. I do not; my service in Cuba was limited during the Santiago campaign.

Senator BEVERIDGE. Do you know what was reported about those concentration camps?

Colonel WAGNER. I do.

Senator BEVERIDGE. And what is generally understood about those concentration camps?

Colonel WAGNER. I do.

Senator BEVERIDGE. What have you to say as to any dissimilarity between the so-called reconcentration camps of the Spaniards in the Philippine Islands and the reconcentration camps in Cuba. Were they alike or unlike, or what was the condition?

Colonel WAGNER. As near as I can determine, there was no point of similarity between the two, namely, the people were within a certain region and compelled to stay there.

Senator BEVERIDGE. What were the points of dissimilarity?

Colonel WAGNER. The points of dissimilarity were that the Spaniards starved the people they brought in and we fed them.

Senator BEVERIDGE. And as to medical care and sanitation?

Colonel WAGNER. I have been unable to learn that the Spaniards gave any medical care to the reconcentrados at all.

Senator BEVERIDGE. And you have said we did?

Colonel WAGNER. Yes, sir.

Senator BEVERIDGE. It is your understanding of the concentration camps, is it not, that not only was sanitation neglected, but conditions of hideous filthiness and disease were encouraged, and the popular understanding of it?

Colonel WAGNER. Batangas and Laguna de Bay.

Senator BEVERIDGE. That is where the last remnants of the insurrection were at the time ripe and where the operation of ladrones was and has been most active?

Colonel WAGNER. It was.

Senator BEVERIDGE. Those provinces, I believe, Colonel, are mountainous, are they not?

Colonel WAGNER. They are.

Senator BEVERIDGE. And well fitted for the operations of the ladrones?

Colonel WAGNER. Admirably so.

Senator BEVERIDGE. As a matter of fact, for time immemorial robber bands making robbery, stealing carabao, and the property of the people—their provisions—have had their fastnesses in these mountains, have they not?

Colonel WAGNER. They have, in those mountains, although in other parts of the islands also.

Senator BEVERIDGE. I understand, but I am speaking of these particular places now. Is it your understanding that those ladrones and robber bands have now been wiped away?

Colonel WAGNER. In those provinces; yes, sir.

Senator BEVERIDGE. That is what I am asking about, these provinces; and the people have all returned to their homes and fields?

Colonel WAGNER. So I am informed.

Senator McCOMAS. If it be true that the insurrectos and also the robber bands have been wiped out in Laguna de Bay and Batangas and the people have been quieted in Samar, where is there now any insurrectionary force?

Colonel WAGNER. In regard to the island of Samar, I can not state, sir; I know nothing about that of my own knowledge, nothing further than what I read in official reports or in the newspapers.

Senator McCOMAS. From your knowledge and information, where is there now any insurrectionary force in the Philippines?

Colonel WAGNER. There is no insurrectionary force worthy of the name. There may be small bodies of ladrones, and there doubtless are, in many parts of the islands.

Senator BEVERIDGE. That has always been the case.

Colonel WAGNER. That has always been the case.

Senator CULBERSON. I do not remember how long you said you had been in the Philippine Islands.

Colonel WAGNER. Nearly two years and a half. I went there in the latter part of 1899 and left in April of this year.

Senator BEVERIDGE. To what extent did you traverse the islands during the two years?

Colonel WAGNER. I have been in the provinces of Rizal, Cavite, Laguna de Bay, Batangas, Morong, Pampanga, Tarlac, Pangasinan, and the islands of Panay, Cebu, Mindanao, and Jolo.

Senator CULBERSON. What were your general duties while you were stationed in the islands?

Colonel WAGNER. I was, first, adjutant-general of the First Division, Eighth Army Corps; then adjutant-general of the Department of Southern Luzon; then adjutant-general of the Department of North

soldiers?

Colonel WAGNER. No, sir; I did not. I was with General [redacted] in the campaign in the provinces of Cavite and Bataan, the month of January and part of February, 1900, and I saw [redacted] in the course of the campaign. There might have been burnings ever, at different points without my knowing it.

Senator CULBERSON. I simply wanted to get your observations on any burning, if you observed any. You did not, as I understood.

Colonel WAGNER. None; no sir.

Senator CULBERSON. During your entire service in the Philippines?

Colonel WAGNER. None.

Senator CULBERSON. In your going to and fro through the different provinces did you notice where villages or barrios or towns had been burned?

Colonel WAGNER. I noticed a barrio that had been burned near Tanauan and Lipa. That had been a perfect pest hole and wire cutters, cutting the telegraph lines.

Senator CULBERSON. Do you know whether it was burned by Americans or insurgents, or the ladrones?

Colonel WAGNER. It had been burned by the Americans.

Senator CULBERSON. Do you remember the name of the village?

Colonel WAGNER. I do not; I can not recall it now. It was a village. It had had a bad reputation for a long time. The village of Dolores was also burned as a military measure owing to its being a refuge and nest of ladrones.

Senator CULBERSON. Do you know of any other places burned than those mentioned?

Colonel WAGNER. I do not recall any now. There may have been others—there doubtless were—but those are the only two I can recall.

Senator CULBERSON. Speaking generally, was not the policy of the commanders of the brigades proceeding General Ball [redacted] to burn villages and towns?

may feel might embarrass a superior officer. You are perfectly at liberty to answer them within your judgment; that is a question for you to determine.

Senator CULBERSON. I am not seeking to involve him in anything that would be embarrassing to his superior officers.

Senator DIETRICH. I think you stopped him in his answer.

Senator BEVERIDGE. I think I did. You may proceed.

Colonel WAGNER. I will state in this case that I was not under the orders of either General Sumner or General Bell; they were in command of brigades. I was adjutant-general on the staff of General Wheaton.

Senator BEVERIDGE. I meant merely to say, when I spoke to you about the reports and what you might do, that not only in reference to superior officers, but anything which, in your judgment, reflects on a fellow-officer is something within your own sense of propriety and your own feelings.

Senator CULBERSON. Let the stenographer read the answer.

(The stenographer read the answer so far made to the question of Senator Culberson.)

Colonel WAGNER (continuing). The orders from department headquarters had prohibited the burning of any buildings unless troops were actually fired upon from such buildings. They had also prohibited the destruction of food supplies. It was not until the hopelessness of terminating the war except by severe measures became apparent that such measures were sanctioned. I would state that neither General Sumner nor General Bell was responsible for the policy which he carried out. Each was acting in accordance with instructions from his department commander. If General Sumner had remained in command of the territory embracing the provinces of Batangas and Laguna he would have been required to carry out essentially the same policy that was carried out by General Bell.

Senator CULBERSON. You said, I believe, speaking in general terms, that the policy pursued by General Bell was more severe than that pursued by his predecessor, and that that policy was ordered by his commanding officer?

Colonel WAGNER. Yes, sir.

Senator CULBERSON. Have you that order with you? We haven't among our hearings so far. Do you mean General Wheaton, or do you mean General MacArthur, or do you mean General Chaffee?

Colonel WAGNER. I presume that the orders originated with General Chaffee.

Senator CULBERSON. Have you read them, Colonel?

Colonel WAGNER. I do not know that they were formulated in written orders; they were not printed so far as I know. General Bell succeeded General Sumner and was given certain instructions by the department commander.

Senator CULBERSON. Who was the department commander at that time?

Colonel WAGNER. General Wheaton. In carrying out these instructions General Bell gave his instructions in the form of certain telegraphic communications to all his station commanders from time to time. Copies of these orders were sent to department headquarters, were seen by the department commander, and were approved by him.

Senator BEVERIDGE. They are all before the committee.

Senator CULBERSON. Those orders are here with the exception of

Senator CULBERSON. You have stated what the orders were previously with reference to burning. What were the orders of the department commanders subsequent to that as to burning?

Colonel WAGNER. There were not any written orders, and it was understood, however, that any houses that were used as quarters for those bands of ladrones, used as cuartels, as we call them, were to be destroyed wherever found. Any houses from which fire was fired upon of course would be destroyed. That is the rule of war, always.

Senator CULBERSON. Is the other character of burning the rule of war?

Colonel WAGNER. Not at all, sir; it is certainly in accordance with the rules of war.

Senator CULBERSON. You seemed to make some distinction between the two, and that was the reason I asked the question.

Colonel WAGNER. The burning of buildings from which fire was fired upon is specifically set forth in almost every treaty or convention that has ever been written on the rules of war.

Senator CULBERSON. What are the rules of war with reference to burning the houses of noncombatants, measured by the general orders issued by President Lincoln, No. 100, in 1863? What rule would prevail as to the burning of the homes and residences of noncombatants?

Colonel WAGNER. In case such people had given information that they were enemy or committed any hostile acts against any portion of the territory occupied by our forces it would be a perfect proceeding to burn their houses or even to take their lives.

Senator CULBERSON. I am asking you with reference to noncombatants.

Colonel WAGNER. In case the noncombatants were friendly and committed no hostile acts there would be no authority for burning

was used without the consent of the owner or, in fact, against his wishes.

Senator CULBERSON. A former captain of the Twenty-sixth Infantry, United States Volunteers, testified yesterday, Colonel, that he burned a town or barrio, taking the houses indiscriminately; that is to say, he did not discriminate between houses that were used by the insurgents there as abiding places, or places of refuge or places where provisions were stored, but that indiscriminately he burned all the houses, including the residences of the town, with the exception of one or two, which the American troops desired to use themselves. Would you say that that was within the rule provided by Order No. 100?

Colonel WAGNER. Under the circumstances, yes, sir. It is not always possible to discriminate between those who are active enemies and those who are not. It is not always possible to discriminate between these people or between the houses owned by them. We know that a certain community has been conducting itself very badly, that many people in this community have been acting as guerrillas, appearing in arms to fight, and afterwards, when pursued, assuming the guise of innocent and inoffensive people, or have been guilty of assassination, or cutting telegraph wires, destroying bridges, etc. In such a case, when we know that this town is used as a rendezvous, a place from which these people operate, it would be justifiable to destroy the town, although we might burn the property of inoffensive people by so doing.

Senator CULBERSON. Do I understand you, then, to say that if American troops in the Philippine Islands would have information that two or three houses in a town had harbored insurgents, or been allowed to be used by insurgents for hostile purposes, and the American troops were unable to discover which particular several houses had been so used, that they would be authorized to burn the entire town?

Colonel WAGNER. No, sir; that would be a very extreme measure to take for the degree of the offense on the part of the inhabitants. You assume, I understand by your question, that only two or three people had been guilty of these acts.

Senator CULBERSON. I wanted to know where you are going to draw the line, and I wanted you to be kind enough to draw the line for me somewhere.

Colonel WAGNER. Yes, sir; I will endeavor to do so. If it were known that several people who had been committing depredations were harbored in a town and on application to the authorities of the town the surrender of those people was refused, it would be justifiable to notify such town authorities that if they continued to harbor these people and did not surrender them or cause their depredations to cease a certain number of buildings in the town would be destroyed as a retaliatory measure, because the mere fact of harboring these people, the mere fact of giving them shelter without reporting them to the authorities, makes the people of the town participants in the hostile act.

Senator CULBERSON. This preliminary step which you have indicated in your answer must precede the burning?

Colonel WAGNER. An officer must use judgment; he must be satisfied that the conduct of the entire community has been such as to

Senator BEVERIDGE. How strange; I was thinking of of Sodom and Gomorrah.

Senator CULBERSON. I am not asking with reference to burning; of course I understand that in the case of that harbors insurgents, if by reason of the close proximity of the building to the others it is accidentally and unavoidable that party must suffer; but I am speaking with reference to the deliberate act of burning the houses of noncombatants, as has been done in some cases in the Philippines, which have come before this committee. That is the case I am trying to bring judgment upon.

Colonel WAGNER. The destruction of the property of noncombatants when the property is known to belong to noncombatants and no military necessity for destroying it, is inexcusable. The destruction of property of noncombatants may be necessary, for various reasons. It may be impossible to separate the property of the people in their towns from property of the guilty. The community there must suffer, if the crimes of the community are sufficient to warrant it. Again, as I stated before, I think the property of a noncombatant must be destroyed if an enemy is aware of that to our prejudice and hurt in military operations.

Senator CULBERSON. Now, coming to so-called torture in the Philippines, either by hanging by the neck, or by the thumb screw, or by the water cure, I will ask you if you have any knowledge on the subject?

Colonel WAGNER. No personal knowledge. I have seen reports on the subject; I recall that in the month of June, 1901, I came to headquarters that some cruelty had been exercised on natives, for the purpose of extorting information. I think of the case of two volunteer officers of the Twenty-seventh

· CULBERSON. I understand.

WAGNER. Then there were some complaints from different general newspaper clippings or letters written to the War Department. There was one of them from a negro by the name, I think, Peter Pearl, who styled himself an attaché of the Twenty-fourth Infantry, making complaints that officers had administered floggings and specifying officers of the Twenty-first Infantry and Ninth Infantry. This communication was referred to the commanding officers of those regiments for investigation, and it was found there was nothing in the complaint at all.

· CULBERSON. About when was that complaint made?

WAGNER. The complaint was received at our headquarters. I do not remember the month. I do not know when the complaint was made; the complaint had been sent in to Washington, and he came the way out to the Philippines.

· CULBERSON. Now, you can state any other information that you have with reference to these so-called tortures having been inflicted on Filipinos by American troops.

· BEVERIDGE. Personal knowledge.

WAGNER. From my personal knowledge I know of none, I think none.

· CULBERSON. We have not been confining other witnesses to personal knowledge.

· BEVERIDGE. I understood you to ask him as to his personal knowledge.

· CULBERSON. I had gotten away from that and was asking him for any information he had.

· BEVERIDGE. In view of the large mass of testimony on that subject, in which we have direct evidence I supposed you were not relying on hearsay.

· CULBERSON. The Colonel is adjutant-general of northern California and he may have some official information about it. That is what I want to get.

· BEVERIDGE. Go ahead.

WAGNER. There was a letter written by a soldier of the Ninth California Volunteers to friends at home in which he claimed that Filipinos were shot down like rabbits. This letter was printed in a newspaper clipping containing the letter was sent from the War Department to the Philippines for investigation. It came to our headquarters and it was referred to the commanding officer of the Forty-sixth Infantry, who was ordered to investigate the matter carefully.

The result of the investigation showed that the story was made up of whole cloth, and the writer of the letter confessed he had written it with a view, to use his own words, "of jollying the old folks." He mentioned a complaint against Lieut. Preston Brown, of the Ninth Infantry, for shooting a prisoner of war. A court was ordered to try him; he was duly tried and convicted. Another complaint was made in the form of charges and specifications preferred by Major Gardener, then governor of the province of Tayabas, against a young soldier striking a Filipino with his gun because the Filipino did not salute him, for gambling with natives, and for kicking a native. An investigation of the matter showed that this young soldier was then in the hospital, was mentally unsound.

· CULBERSON. Lieutenant Catlin?

Senator CULBERSON. Was Edwards a sergeant in your regiment? It covered the same complaint, as I understand it.

Colonel WAGNER. I do not recall his regiment. Lieutenant Edwards was then out of our department. The charges were against him. I understand it was investigated by the inspector of the Department of Northern Luzon, Capt. P. W. Webb, but what the nature of the charges was I do not remember, except it was some allusion against natives.

Senator CULBERSON. I will ask you if you are familiar with the so-called water cure to state whether or not that would be justified by the rules of war?

Colonel WAGNER. Well, sir, I am not familiar with the water cure. I never saw it applied; I have never even seen a thorough description of it; I have never heard of any case of death resulting from it. I really do not know what it is like, except they are supposed to put a tube or a hose into a man's mouth and compel him to drink water as he will hold. The members of the committee would understand more about it than I do.

Senator CULBERSON. Some of the witnesses have testified that it resulted in a few cases.

Senator BEVERIDGE. Oh, no!

Senator McCOMAS. No!

Senator CULBERSON. I can show three or four witnesses who have testified to that.

Colonel WAGNER. There is nothing in regard to the laws of war that justifies torture for the purpose of getting information. The laws of war do justify the infliction of death, in some cases, for getting information or refusing to give information.

Senator CULBERSON. Do not the laws of war specifically justify torture for the purpose of getting information?

Senator McCOMAS. I want to know if this statement of your commanding general, Lloyd Wheaton, is a good summary of your view of this matter of the concentration:

"This concentration was made for the purpose of protecting the natives from the guerrilla bands in the provinces of Laguna and Batangas.

"After more than two years' occupation of these provinces it has been found impossible to exterminate these bands or capture their leaders, owing to the reign of terror which they exercise over the inhabitants. Their systematic assassination—sometimes of burying alive—of natives who refused to contribute toward the support of the insurrection enables them to wring a steady war revenue from people presumed to be enjoying the privileges of free government and the protection of the United States. This has now terminated; nearly all the arms in the hands of guerrillas have been captured or have been surrendered, and there is a prospect of an early termination of disturbed conditions in provinces under military control. It is expected that within sixty days people assembled in the towns can be returned to their several places of former abode."

Do you concur in that as a general statement of this matter?

Colonel WAGNER. Absolutely.

Senator McCOMAS. And you say that this forecast has been verified?

Colonel WAGNER. Yes, sir.

Senator McCOMAS. And that all these people have been already returned to their homes?

Colonel WAGNER. Yes, sir.

Senator McCOMAS. I understand that there were only two camps in the two places you named?

Colonel WAGNER. No; I beg your pardon.

Senator McCOMAS. I understand that while they were in the camps the camps were only two in number?

Colonel WAGNER. No, sir; there were more than that.

Senator CULBERSON. That is my objection to leading questions.

Senator McCOMAS. I am simply following the rule that has been so often followed of asking leading questions, in order to facilitate the examination.

You say here in your report that there were two camps—one at Tanauan, containing in all 19,600 people, or thereabouts, and also a camp at Santo Tomas. How many camps did you speak of; more than two?

Colonel WAGNER. There were more than that. There was a camp at Calamba, which I visited incidentally. The conditions there were practically the same as those mentioned at the camps I have referred to. That camp was already in process of disbursement.

Senator McCOMAS. When you got there?

Colonel WAGNER. Yes, sir.

Senator McCOMAS. Then none of these camps were continued long?

Colonel WAGNER. No camp was continued longer than was absolutely necessary.

Senator McCOMAS. How long was the longest that you remember?

Colonel WAGNER. That I could not say, because the last camp was broken up since my departure from the Philippine Islands.

Senator McCOMAS. Were any of them more than a few months?

Colonel WAGNER. None of them lasted longer than five. They began in the latter part of December.

Senator McCOMAS. In your report you say——

Senator CULBERSON. Just to jog your memory, an order of Bell creating a concentration was issued the 8th of December. General Smith was issued in the same month, along toward the part of it; but there is on file, sent here by the Secretary of War, a report of a captain who organized a concentration camp as early as August, 1901.

Senator BEVERIDGE. Where?

Senator CULBERSON. I do not remember the name of the place, Senator, but I can furnish it to you. It is in the record sent by the Secretary of War recently.

Senator BEVERIDGE. The only reason is, it has relation to the camp continues. It was probably the camp testified to by Professor Barrows.

Senator CULBERSON. I understood you to state that these camps were not organized until December.

Senator BEVERIDGE. The camp he testifies to.

Senator CULBERSON. Of course I understand that, but I want to refresh his recollection about this other camp, if he was familiar with that.

Colonel WAGNER. I refer, Senator, only to the camps in the provinces of Batangas and Laguna. To the best of my knowledge and belief there were no camps established there anywhere in the provinces until the latter part of December.

Senator McCOMAS. In your report you say:

“No cases of shooting people passing the dead line have been reported, and, as nearly as I can ascertain, none have occurred.” Is that your present information?

Colonel WAGNER. That is my best information and belief.

Senator McCOMAS. So that the “dead line” is a phrase and a cruel fact in the history of these camps?

Colonel WAGNER. It was an actual fact that the line existed as far as death resulting from it is concerned. I have not yet been able to find a single case.

Senator McCOMAS. It was a dead line, but nobody was dead by the line?

Colonel WAGNER. Yes.

Senator BEVERIDGE. He has testified that it was a life line at the camps.

Senator CULBERSON. At the suggestion of the Senator from Iowa.

Senator McCOMAS. At each of these camps there was a school for each barrio and the children attended generally?

Colonel WAGNER. Yes, so far as I observed.

Senator McCOMAS. They were well fed, and happy, and going to school?

Colonel WAGNER. They were as happy, I think you will find, as children in the United States.

Senator McCOMAS. And they were not crowded anywhere?

Colonel WAGNER. In these different camps, no, sir; it would be very hard to crowd people under the conditions existing there.

Senator McCOMAS. You have stated that the size of this camp at Santo Tomas was about 2 miles long and 1 mile wide?

Colonel WAGNER. Yes, sir.

Senator McCOMAS. You say in your report that there were "127 female prisoners, all of whom were legitimate prisoners of war." Do you mean that this rule, 102, section 5, of the order No. 100, was the cause of the confinement of these women as prisoners? I will read the rule referred to:

“ 102. The law of war, like the criminal law, regarding other offenses, makes no difference on account of the difference of sexes concerning the spy, the war traitor, or the war rebel.”

Women thus confined were of that character?

Colonel WAGNER. Yes, sir.

Thereupon at 12 o'clock the committee adjourned until Saturday, May 31, 1902, at 10 o'clock a. m.

WASHINGTON, D. C., *Saturday, May 31, 1902.*

The committee met at 10 o'clock a. m.

Present, the chairman, and Senators Allison, Beveridge, Dietrich, Culberson, and Patterson.

Senator Culberson requested that the following order of General Lee be printed as a part of the record:

GENERAL ORDERS, No. 72.

HEADQUARTERS ARMY OF NORTHERN VIRGINIA,
June 27, 1862.

While in the enemy's country the following regulations for procuring supplies will be strictly observed, and violations of them will be promptly and vigorously punished:

1. No private property shall be injured or destroyed by any person belonging to or connected with the army, or taken, excepting by the officers hereinafter designated.

2. The chiefs of the commissary, quartermaster's, ordnance, and medical departments of the army will make requisition upon the local authorities or inhabitants for the necessary supplies for their respective departments, designating the places and times of delivery. All persons complying with such requisitions shall be paid the market price for the articles furnished, if they so desire, and the officer making such payments shall take duplicate receipts for the same, specifying the name of the person paid and the quantity, kind, and price of the property, one of which receipts shall be at once forwarded to the chief of the department to which such officer is attached.

3. Should the authorities or inhabitants neglect or refuse to comply with such requisitions, the supplies required will be taken from the nearest inhabitants so as to be done by the order and under the direction of the respective chiefs of the departments named.

4. When any command is detached from the main body, the chiefs of the several departments of such command will procure supplies for the same, and such other things as they may be ordered to provide, in the same manner and subject to the provisions hereinafter prescribed, reporting their action to the heads of their respective departments, to whom they will forward duplicates of all vouchers given or received.

5. All persons who shall decline to receive payments for property furnished on requisition and all from whom it shall be necessary to take stores or supplies, shall be furnished by the officer receiving or taking the same with a receipt specifying the kind and quantity of the property received or taken, as the case may be, the name of the person from whom it was received or taken, the estimated or the use of which is intended, and the market price. A duplicate of such receipt shall be forwarded to the chief of the department to which the officer to whom it was received is attached.

[illegible]

1. 1. The first step in the process of the

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

pay 3 pesos. This money was used for the purchase of who did work. I recall seeing natives at work on road auan and Santo Tomas. There was another large party Lieutenant Caples, of the Engineer Corps.

In regard to the burning of the little barrio between Lipa, and also the burning of the barrio of Dolores, I that this occurred before General Bell was in command. His jurisdiction included the province of Tabangas. the time; it was probably about a year and a half ago. may since have been rebuilt, and may since have been all I know. I recall also the burning of several houses of Tanauan as a retaliatory measure. An Americanista, friendly to the American cause, was assassinated in the view of the people occupying these houses. It was an assassination was seen by a number of people in those houses all refused to give any testimony. These houses were burned as a retaliatory measure. That is all, sir.

Senator BEVERIDGE. What kind of houses were these or better houses?

Colonel WAGNER. I am not sure.

Senator BEVERIDGE. I think you said that the insurrection in gas and Laguna de Bay has now been suppressed?

Colonel WAGNER. I so understand.

Senator BEVERIDGE. And the provinces cleaned out which, from generation to generation have existed there it is asking for an inference, but is it the result of the policy pursued by General Bell, there?

Colonel WAGNER. Yes, sir.

Senator BEVERIDGE. General Bell is an energetic officer.

Colonel WAGNER. Very.

anxious that there should be no suffering on the part of the people in the provinces of Batangas and Laguna--no unnecessary suffering.

Senator BEVERIDGE. One of the superintendents of instruction for a province, in a report, which is a part of the record, speaks of General Bell having a vivacious enthusiasm for education and personally attending to the inauguration of education. What do you know about that?

Colonel WAGNER. I do not know about that; it would be quite in keeping with General Bell's character, however.

Senator BEVERIDGE. How long were you in the islands?

Colonel WAGNER. I was in the islands nearly two and a half years. My term of actual service in the islands was a little over two years and three months.

Senator BEVERIDGE. During that period what opportunity did you have for observing the conduct of American officers and soldiers toward the people who were peaceably disposed?

Colonel WAGNER. It was uniformly, so far as came under my observation, kind and considerate. There may have been individual cases of cruelty, but I do not know --

Senator BEVERIDGE. I am asking you about the general course.

Colonel WAGNER. That is the general course.

Senator BEVERIDGE. That was the course of conduct that was expected and directed by American officers of the Army, was it?

Colonel WAGNER. An order of General Bell, a copy of which I think must be here, informed the officers under his command that it was as much their duty to see that these people did not suffer from want and hunger as it was to see that military operations were properly conducted. I would also say that the condition of these people was a matter of great solicitude on the part of General Wheaton. I messed with General Wheaton; that is, lived in the same house with him, and had frequent conversations with him on that subject. I know that he felt his responsibility in regard to the matter, and was extremely anxious to avoid any suffering on the part of these people.

Senator BEVERIDGE. What care was given the Filipino prisoners who were wounded or sick, as to hospital treatment or otherwise?

Colonel WAGNER. It is a fact well known in the Philippines that any insurrecto prisoners captured by our men were given the same medical treatment accorded to our own soldiers. I have been informed of instances where Filipino prisoners, wounded, were taken into the hospitals and cured and given their freedom and afterwards appeared in arms against us, being recognized by the surgeons who had treated them.

Senator BEVERIDGE. Have you been in the hospital at Manila -- the Filipino wards in that hospital?

Colonel WAGNER. I have not.

Senator BEVERIDGE. What is the fact as to the condition of peace and industry and business and trade in those districts and provinces over which our arms have been carried and the insurrection wiped away? Did the people return and go to work, and what is the condition now?

Colonel WAGNER. I think that in every case the people have returned and gone to work as soon as a province has been pacified. In the province of Batangas last summer I was present at a conference

COLONEL WAGNER. Yes, sir, they are essentially the
inches.

Senator BEVERIDGE. So that any good conditions pro
would be a slight measure, comparatively, of good cond
ing in other provinces not so originally affected?

Colonel WAGNER. Will you kindly repeat the question?

Senator BEVERIDGE. Merely this, they being a hotbe
tion—the Tagalo provinces—any conditions there are
part of the improved conditions that exist in other prov

Colonel WAGNER. Exactly.

Senator BEVERIDGE. How long have you been a soldier?

Colonel WAGNER. Nearly thirty-two years; that is,
cadet service.

Senator BEVERIDGE. It is quite apparent that you h
served but have read much concerning your profession.

Colonel WAGNER. I have been on duty as instructor i
ment of military art at Fort Leavenworth, Kans., a
States Infantry and Cavalry School, being on that duty
a half years. I think probably that would be the best a
question.

Senator BEVERIDGE. I think so. From that, from yo
as an American soldier, and from your general familiar
fare, I want to ask you what your opinion is as to the
humanity, kindness, and consideration with which our m
tions in the Philippines have been conducted, compar
like wars?

Colonel WAGNER. So far as my observation has go
best of my belief, it has been conducted as humanely as
was ever waged. I would like to state here that I have
a statement that the proportion of killed to wounded an
pinos showed that the war was waged with unusual cruelty.

wounded always escape. A man who is seriously wounded, say shot through the liver, is counted a wounded man the same who is shot through his little finger; that is, in the victorious of those men are counted. But in the defeated army only the fallen fall in possession of the victor, and unless we have a casualty report of the defeated army there is no record of their wounded. I doubt that among the Filipino wounded at least four or five for every one that falls into our possession.

Mr BEVERIDGE. One more question. What is the fact as to the military authorities, immediately after the occupation of a place of any considerable size, organizing civil government under General's order and establishing schools for the Filipino children and detailing American soldiers from the ranks to teach them; the fact as to that?

Mr WAGNER. Not only soldiers were detailed from the ranks, but now of at least one officer, a commissioned officer, who took charge of instruction.

Mr BEVERIDGE. Do you know the earnestness and zeal with which the soldiers thus detailed to teach these schools addressed themselves to their work?

Mr WAGNER. I do not, but I presume they addressed themselves to that work the same as any duty they would be assigned to.

Mr BEVERIDGE. Which was?

Mr WAGNER. We have never had any occasion to complain of them, as a whole, in regard to the performance of their duties.

Mr BEVERIDGE. They were always zealous in the performance of their duty?

Mr WAGNER. Yes.

Mr BEVERIDGE. Do you know anything about the work of Henry (to take one particular instance, this being a man who came under my personal observation), a private soldier detailed to teach the children at San Fernando?

Mr WAGNER. I do not.

Mr BEVERIDGE. That is all I wish to ask.

Mr CULBERSON. Speaking with reference to the general character of the war in the Philippines, I believe you have stated that so far as our personal observations have gone, in your judgment the rules of civilized warfare have been maintained?

Mr WAGNER. Yes, sir.

Mr CULBERSON. I will ask you if firing upon a flag of truce under ordinary circumstances is within the rule of civilized warfare?

Mr WAGNER. It is not. A flag of truce, though—

Mr CULBERSON. Under ordinary circumstances.

Mr WAGNER. Under ordinary circumstances it is not in accordance with the rules of war.

Mr CULBERSON. I have here a copy of the report of Gen. Jacob D. Smith, then Colonel Smith, dated November 11, 1899, in which I find the following language:

A few minutes after reaching here we discovered about 200 to 300 natives coming up the railroad track from the south, waving white flags of truce. I made my dispositions to receive them warmly, when three volleys from the cavalry, who were to the right and the rear, fired at the railroad crossing. They dispersed quickly, going toward

the east. I got word to a battalion that they were firing upon them, and a few of them were killed; but we heard or saw nothing more of them."

That is, as I have said, a report dated and directed to the adjutant-general of the army, signed by J. H. Smith, colonel Seventeenth Infantry. I ask you if that was war conducted under the government of the armies in the field by the United States, issued in 1863?

Colonel WAGNER. It seems by the report that they were fired upon by the cavalry. It is not set out whether they observed this flag of truce or not. If they did, and then opened fire on these people, it was a violation of the laws of war.

Senator CULBERSON. I call your attention to what apparently shows that the firing was done by General Smith, and not by cavalry. I will read the report.

"I got word to a battalion that was in the east and a few of them were killed, but they heard or saw nothing more of them."

Colonel WAGNER. Will you kindly read that?

Senator CULBERSON. I will read the whole sentence. "A few minutes after reaching here we saw a flag of truce. I made my dispositions to receive it. Insurgents going up the railroad track fired upon it. Which apparently shows that he was not observing the laws of truce—"

"when I heard three volleys from the cavalry fired toward the east. I got word to a battalion that was in the east and a few of them were killed, but they heard or saw nothing more of them."

Colonel WAGNER. It seems these volleys were fired by the cavalry. It seems these volleys were fired by the cavalry. It seems these volleys were fired by the cavalry.

Senator CULBERSON. I will be compelled to read the sentence, which I now read a second time. "I got word to a battalion that was in the east and a few of them were killed."

Cavalry is not organized into battalions. It is organized into regiments.

Colonel WAGNER. No, sir; it is not organized into battalions.

Senator CULBERSON. That must have been a mistake.

Colonel WAGNER. And the sentence you read that the infantry had killed some of the cavalry. I understand, Senator, that the matter is in consideration of principle, I would have no hesitation in saying that waving a flag of truce—when that flag of truce was a violation of the laws of war.

Senator CULBERSON. I understand, of course, that where a flag of truce is used as a ruse or device to gain advantage, and it is not to be respected as a flag of truce.

Colonel WAGNER. In fact, in case a flag of truce had been used as a **perfidious** cover for an attack, and if that fact were known, it would be justifiable, in encountering the same people again, to refuse to recognize that flag of truce, and even to fire upon it; but that is an exceptional case.

Senator CULBERSON. I believe you have stated already that the infliction of any character of torture for the purpose of extorting confessions is a violation of the express rules of war?

Colonel WAGNER. It is.

Senator CULBERSON. I take it, Colonel, there will be no doubt but what a wanton devastation of a whole district by burning would be a violation of the rules of war?

Colonel WAGNER. A wanton devastation would be. That implies the lack of military necessity.

Senator CULBERSON. With reference to this general subject of the conduct of the war and I simply read what I am about to read in order to get your opinion about it, and because I want the real situation over there as best we can obtain it at page 559 in the records of this committee, after examining Gen. R. P. Hughes with reference to the burning of nipa huts and shacks occupied by people over there. Senator Rawlins asked the general this:

But is that within the ordinary rules of civil warfare? Of course you could exterminate a family, which would be still worse punishment.

General HUGHES. These people are not civilized.

Senator RAWLINS. Then I understand you to say this is not civilized warfare?

General HUGHES. No; I think it is not.

That is the testimony of a general of a brigade testifying that the war conducted by him over there is not, in his judgment, in accordance with civilized warfare.

Colonel WAGNER. So I would understand from what you have read, Senator; but I would state that as far as my own knowledge is concerned I have known of nothing in the Philippines that is not in accordance with civilized warfare. I speak of the operations in the island of Luzon and the adjacent islands belonging to the same department.

Senator CULBERSON. Your experience, then, and your judgment as to what occurred within the lines of your observation, do not accord with that of General Hughes?

Colonel WAGNER. Assuming that General Hughes says that the warfare in his department was not civilized warfare, I would say that it differs from any warfare that I heard of in the Department of Southern Luzon or subsequently in the Department of North Philippines.

Senator CULBERSON. You are as able to judge of the meaning of this language as I am, or anyone else; but I will read this exact language again. It is page 559 of the proceedings before this committee, when Gen. R. P. Hughes was testifying. Senator Rawlins said:

Then I understand you to say this is not civilized warfare?

General Hughes replied:

No; I think it is not.

Colonel WAGNER. I would say in regard to that, Senator, General Hughes was testifying as to the condition of affairs in his department. I think I have already stated that my testimony relates solely to the conditions existing in the island of Luzon and the adjacent islands belonging to the same department. This is a totally different territory from that in which General Hughes was in command.

Senator CULBERSON. To be entirely fair at ditons in Samar have been different, quite ticular province in which you were stationed

Colonel WAGNER. The warfare has been w Senator CULBERSON. More severe, or, as "it has grown stiffer?"

Colonel WAGNER. I think that term expres Senator CULBERSON. Now, with reference tration, I will be glad if you will point out, any inconvenience, what particular sections o authorized the concentration of all the peo within concentration camps, as was done by Smith.

Colonel WAGNER. There were two reasons people—one of duty and the other of right. giving protection to people who were unde own Government. The other is the right t paragraph 15 of General Orders, No. 100, sustenance or means of life from the enemy sustenance and means of life from the en separate these people from the hostile force tion where they could be fed according to or could be able to destroy the food products t withholding the sustenance from the enemy. the right granted by the laws of war to starv or unarmed, such as, for instance, the starvin burg or the starving of the people in Paris d

Senator CULBERSON. You think, then, tha of General Orders, No. 100, "of all withh means of life from the enemy." authorized concentrado camps in the Philippines?

Colonel WAGNER. Paragraph 15 and para ized it. It follows as an incident to the auth paragraphs.

Senator CULBERSON. In order to starve th to the United States, you feel that there is auth 15 and 17 to inflict, to put it mildly, inconven an entire district of noncombatants?

Colonel WAGNER. No; I would not put it the concentration of these people was in acco right. The hardship may have befallen the the concentration, but they were concentrat pose of starving out the enemy, but for the p from assassination and from enforced contrib

Senator CULBERSON. General Bell, howev ular No. 3, dated December 9, 1901, states people there were enemies of the United Sta and that these extraordinary measures were punishment, and not as a duty to the friendl

Colonel WAGNER. I do not understand th people had been claiming to be friends and h many of them. We said in effect to them, " come in; if you are enemies, stay out. We y you are. If you are friends we will protect

out and take the consequences that will befall the other people who are out against us."

Senator CULBERSON. He says in this order No. 3:

"A general conviction, which the brigade commander shares, seems to exist that the insurrection in this brigade continues because a greater part of the people, especially the wealthy ones, pretend to desire, but in reality do not want, peace; that when all really want peace we can have it promptly. Under such circumstances it is clearly indicated that a policy should be adopted that will as soon as possible make the people want peace and want it badly."

This policy, then, was adopted according to the language of General Bell, was it not, as punishment, especially to the wealthy classes there for their adherence to the enemies of the United States?

Colonel WAGNER. I only know, Senator, the ideas and policy of the department commander in that respect—General Wheaton. His idea was, as I have stated, that these people were to be put in these camps for their protection and to enable us to starve out the people who were not. General Bell states in the order that you have just read that "any people, or most people—will you kindly let me see that order?" [Colonel Wagner referring to the order:] "The greater part of the people, especially the wealthy ones, pretend to desire but in reality do not want peace."

Now, according to this principle we take those people at their word when they say they are friends. If they are sincere, they come in, put themselves in the list of our friends, and are protected. If they are hostile and wished to cast their lot with the insurrectos, all they had to do was to remain outside.

Senator CULBERSON. Speaking in general terms, from what district or countries, from what extent of country, were these people concentrated in camps? Take the camp of which you spoke the day before yesterday, containing 8,000 people.

Colonel WAGNER. Santo Tomas.

Senator CULBERSON. From what region, from what extent of country, were these people concentrated and brought into camp?

Colonel WAGNER. There are villages throughout the Philippines which have subordinate villages, I might say, known as *barrios*, adjacent to them. The idea was to have as a camp for each village and *barrio* as near as possible those that would ordinarily be under the same municipal jurisdiction. The country is quite thickly settled, and the villages are not very far apart. Thus, for instance, the camps at Tanauan and Santo Tomas are scarcely 5 miles apart. Another camp at Calamba was about 14 miles from Santo Tomas.

Senator CULBERSON. Speaking within general terms?

Colonel WAGNER. I would say a radius of about 10 miles. I do not profess to give an accurate statement.

Senator CULBERSON. Of course not. The people within that radius were indiscriminately brought into these two camps?

Colonel WAGNER. They were brought into these camps except in cases where they could be retained in their villages. Thus in the town of Tanauan there were many inhabitants living in their own houses, but they were under the surveillance of the military authorities. It was only people from the outside who were necessarily brought in.

Senator CULBERSON. Those people from the outside were taken indiscriminately, whether they were friendly with the Government or hostile in enmity to the Government of the United States, as I understand it.

afford to grant in the overruling demands of a vigorous

"24. The almost universal rule in remote times continues to be with barbarous armies, that the private individual in a hostile country is destined to suffer every privation of life, protection and every disruption of family ties. Protection is with uncivilized people, the exception.

"25. In modern regular wars of the Europeans, and the in other portions of the globe, protection of the inoffensive in the hostile country is the rule; privation and disturbance of relations are the exception."

Now, do you think, taking those paragraphs into consideration, the concentration camps were authorized—that is to say, to draw these people from a radius of 10 miles from their homes, their business, and confine them to a camp under military rule, with the inconvenience and the hardships incident to such circumstances?

Colonel WAGNER. I do. In the first place, if we regard protection, paragraph 25 says that the protection of the individuals of the hostile country is the rule. In these camps they are protected. Before they were brought into these camps they were to be protected; so it is justified under that order. And if, on the other hand, we consider this as a hardship in regard to persons, etc., you will please note that paragraph 22 says "the unarmed citizen shall be spared in person, property, and honor as much as the exigencies of war will admit."

That implies that the exigencies of war may, under certain circumstances, render it necessary that the unarmed citizen shall be spared in those respects. For instance, nothing is more clear, according to the laws of war, than that the wanton destruction of property, the wanton burning of villages or towns, is improper, is a violation of the laws of war; but military necessity may compel that. For instance, as a striking case, General Sherman burned Atlanta. He moved the citizens out of Atlanta. They were to take such property with them as they could carry. It was a harsh measure, but it was a measure of military necessity. It was that Sherman should put Atlanta in such a condition that it should not be used as a base by the Confederates when he (Sherman) made his movement, and as a result the exigencies of war did require that case that an unarmed citizen should be spared his property. The same might be true with regard to persons.

Senator CULBERSON. How many concentration camps, all told, are there in the Philippines, or were there established in the Philippines?

Colonel WAGNER. I do not know that I ever saw an official report of the number. The order issued by General Bell provided for the establishment of a camp at every town that could be garrisoned, even those that were not already garrisoned. A great many additional troops were sent into the provinces of Batangas and Laguna. The number of people in these camps altogether I should estimate as probably 100,000.

Senator CULBERSON. You can not give numerically—

Colonel WAGNER. I can not give the numerical strength accurately, as I never saw an official report as to the number.

Senator CULBERSON. I believe you stated Thursday that you only visited officially two camps, and unofficially one other camp.

Colonel WAGNER. Yes, sir.

Senator CULBERSON. How many people were confined, in round numbers, by estimate, in those three camps?

Colonel WAGNER. In the two camps at Tanauan there were 19,500; in the camp at Santo Tomas there were about 8,000, and I think about the same number in the camp at Calamba; but I am not sure in regard to that.

Senator CULBERSON. That would make how many in these three camps?

Colonel WAGNER. That would make about 35,000.

Senator CULBERSON. Then, there were other camps with an aggregate population of 65,000 people, which you did not visit either officially or unofficially?

Colonel WAGNER. Yes, sir.

Senator CULBERSON. In your report, which was sent to us by the Secretary of War, dated March 2, 1902, you stated that you were verbally ordered by General Wheaton to visit these two camps, Santo Tomas and Tanauan. In one of them you say in this report that you found 127 females in a church and convent. What was the size of that building?

Colonel WAGNER. It would be hard for me to give the dimensions, but it was a very large church. In every Filipino village that I ever have seen the church is the largest and most imposing structure in the town. Very often in a comparatively small town there is a very large church.

Senator CULBERSON. About what were the dimensions of this church?

Colonel WAGNER. It would be very hard for me to give the dimensions from memory with any certainty that I am at all accurate.

Senator CULBERSON. Was it a single story or several stories?

Colonel WAGNER. It was single story, with very high walls, and without any pews or any church furniture, such as we ordinarily know in churches in the United States. There were no pews, and the only portion of the building taken up by any church furniture was the altar. I should say the building was about 30 or 40 feet wide by about 120 feet. It was a large church.

Senator CULBERSON. Was the convent connected with the church or was it all in one building?

Colonel WAGNER. I do not recall whether they were connected or not. They were not under the same roof.

Senator CULBERSON. What size building was the convent?

memory of an estimate. The only thing I can say with being right in this regard is that these people were not the room impressed me as being ample.

Senator CULBERSON. Going back to this church and these 127 females all sleep on the floor?

Colonel WAGNER. They had such property as they saw with them, but they were all occupying the same room.

Senator CULBERSON. And I understand you to say that story structure, and that the people were all on one floor?

Colonel WAGNER. It was a one-story structure, but kept in mind, as giving an idea of the air space, that it was with exceptionally high ceilings. It was a church, in fact almost of the dimensions we would expect of a small cathedral.

Senator CULBERSON. You have already stated that they were confined in a church and convent at that place.

Colonel WAGNER. Yes, sir.

Senator CULBERSON. I wanted to get some idea of the building where these 40 women and children were confined. Could you give it to me in linear dimensions?

Colonel WAGNER. As I have already said, a statement of the linear dimensions of this building would be nothing more than a mere guess, based on the recollection of an estimate. I say positively that I was impressed with the fact that the room was ample—

Senator CULBERSON. Was the room as large as this room?

Colonel WAGNER. Oh, much larger than this.

Senator CULBERSON. How much larger?

Colonel WAGNER. I should say three times as large.

Senator CULBERSON. Three times as large as this room and in that were contained 40 women and children.

Colonel WAGNER. Yes, sir.

Senator CULBERSON. How many children were there in that room?

Colonel WAGNER. That I do not know, but there were many.

Senator CULBERSON. In this same report you stated that 270 prisoners were confined in the guardhouse. What was the size of the guardhouse?

Colonel WAGNER. There again, Senator, I would have to say it is a mere guess for me to give the dimensions.

Senator CULBERSON. Was it a house?

Colonel WAGNER. It was a house.

Senator CULBERSON. Of what material was it constructed?

Colonel WAGNER. My recollection is that it was constructed of nipa.

Senator CULBERSON. Were all of them confined under the same roof— all these prisoners?

Colonel WAGNER. That is my recollection.

Senator CULBERSON. And were they all within the same room, without partitions?

Colonel WAGNER. No, sir; there were partitions.

Senator CULBERSON. Just explain the character of the house, in that respect, briefly, if you please.

Colonel WAGNER. About all that I could say, Senator, in that respect, is that the house impressed me as being ample in space for the persons contained therein, that they were all under the same roof, but that they were not all in the same rooms. I do not remember how many rooms there were.

Senator CULBERSON. You do not remember how many rooms; can you tell how many men were in the same room?

Colonel WAGNER. I can not at this time; it would be useless for me to try to give those dimensions, or particulars; I would only say again, and I wish to emphasize it, that I was satisfied that there was sufficient space for the comfort of those people.

Senator CULBERSON. You can not give, however, any estimate, even, of the size of the house?

Colonel WAGNER. It would be, as I said, a mere guess based on my recollection of an estimate made at the time.

Senator CULBERSON. You state further in this report that the rich people have lost heavily because they have not been able to harvest their orange crop, and can not give personal attention to their estates. You refer there to the rich people who had been brought from their homes and confined, I presume, in this concentration camp?

Colonel WAGNER. Yes, sir.

Senator CULBERSON. Can you give some idea, some more definite idea than you give here, of the amount of loss thus inflicted upon those rich people, as you call them?

Colonel WAGNER. No, sir. I do not think an accurate estimate could be made by anybody even on the grounds. The orange crop is quite a feature of the products of the province of Laguna and Batangas, and this crop, as near as I could ascertain, was nearly all loss. These people were not able, as I stated in the report, to give their supervision to their estates, and a great deal of rice that they had was seized by our troops and used for the sustenance of the people generally.

Senator CULBERSON. Appropriated by the army for the sustenance of the people confined within these camps?

Colonel WAGNER. Yes, sir.

Senator CULBERSON. Without compensation to the owners?

Colonel WAGNER. I presume that they were not compensated, but they were notified beforehand that they could bring into these camps any property they wished to. There was no reason why these people should not have brought all their rice into the camps if they saw fit to do so. That would have involved, probably, considerable expenditure in hauling; they would have been subjected to that expenditure.

Senator CULBERSON. All of the property, all of the food products,

implied. Many of the wealthy people, I am not sure, are Mestizos; that is, half Spanish or half Chinese. Two classes of Mestizos in the islands—Chinese Mestizos, the latter being essentially the aristocratic natives. They hold themselves inconceivably above the man, the "hombre" as they call him ordinarily, a term means man, but which has a distinct meaning there as common man, an ordinary man, of no account. These invariably full-blooded natives.

Senator CULBERSON. When I referred to the wealthy, I wanted a general statement as to when a man was considered how much of an estate he had to have in order to be wealthy in that country.

Colonel WAGNER. That it would be impossible for a man who owns landed estates, and who is able to live off of a man possessing a good income, would be classed as

Senator CULBERSON. You say in this report that this have lost heavily by reason of this concentration.

Colonel WAGNER. So I understand; yes, sir.

Senator CULBERSON. Were not the poor people taking homes and their vocations, and did not they sustain a loss also by this policy?

Colonel WAGNER. They may have done so, probably and incurred some financial gain.

When the rice of these wealthy people was confiscated and been cached, half of this went to the man who discovered it. I was told on one occasion by an officer from that part of the island that the hombres, as he expressed it, were having a expense of the wealthy class.

Senator CULBERSON. In other words, the policy was to take the property that had not been already brought in, and to give the property to go to the informer?

Colonel WAGNER. Yes, and the other half went into a house to be used by the people.

Senator CULBERSON. Will you explain briefly the policy which the people within the camp should be furnished with provisions?

Colonel WAGNER. The general policy was to absolutely want and at the same time to avoid pauperizing the island. It was felt that if these people were given free rice without pay, it would have a tendency to cause them to wish to remain indefinitely, in ease and idleness, which would involve great expense to the United States Government for

These people were accordingly notified to bring all their food into the camps. Therefore, to begin with, there were reservations of rice in the public storehouse, this rice being obtained, as I have indicated, by the seizure of cached rice, and also by the purchase of rice with funds that had accumulated by the fines of provost guards; and these people were to be allowed to buy rice. This rice was sold to them as long as they had money to buy it. If they were without money, in the position of paupers, then the rice was given to them without price.

Senator CULBERSON. Do you think the expenses of these camps, in so far as sustaining the inhabitants thereof is concerned, was borne by the Filipino people, and what proportion was borne by the Government of the United States? In other words, I want to get some idea as to how these camps were supported, and whether the Government of the United States succeeded in making the Filipino people pay their expenses for sustenance or whether the Government itself was compelled to pay any considerable part of it.

Colonel WAGNER. I believe that by far the greater part of the expense was paid by the people themselves. To continue on the line of my former question, they were allowed to cultivate ground within the dead line, and without the dead line outstanding crops under the protection of the troops. They were encouraged to plant their crops anywhere except so far in the mountains as to render it impracticable to protect these plantations from ladrones. They were given work on the roads, for which they were paid in rice, and the United States Government then purchased a lot of rice which it sent to these different places for sale to these people as long as the people could afford to buy it. When they were without means then their support fell on the Government.

Senator CULBERSON. You say in your report, and you also have answered here, that you observed no condition of privation or want there in the camp; that the policy was to prevent that, and in order to prevent it the Government of the United States issued, gratuitously, rations when people were unable to buy?

Colonel WAGNER. Yes, sir.

Senator CULBERSON. I want to read you the first sentence in an order of General Bell, dated Batangas, January 23, 1901, addressed to all station commanders:

"All commanding officers in the provinces of Batangas and Laguna are warned against beginning to issue food gratuitously until want and privation absolutely necessitate it."

Does that accord with your ideas?

Colonel WAGNER. I think so, sir; yes, sir. Wherever there was any want on the part of any individual, all he had to do was to apply for food, and it was given to him; but they were careful to see that he was in want—that is, that his food was gone—before they gave it to him, because the authorities were very anxious to avoid pauperizing the people.

Senator CULBERSON. I want to read you, Colonel, for it is quite brief, an extract from a letter from an officer of the United States Army, a graduate of West Point, descriptive of a concentration camp, and read in debate by Senator Bacon on the 23d of May:

"On our way over here we stopped at ——— in peaceful ——— to leave our surplus stuff so as to get into light shape, and as we landed at midnight they weren't satisfied with bolos and shotguns, but little

"This corpse-carass stench, wafted in and comb lovely municipal odors besides, makes it slightly unplea

"Upon arrival I found 30 cases of smallpox and average of 5 a day, which practically have to be turned out to fall crowds of huge vampire bats softly swirl out on the dead. Mosquitoes work in relays and keep up the and night. There is a pleasing uncertainty as to you before morning, or being cut down in the long grass, seems way out of the world, without a sight of the sea like some suburb of hell."

You did not visit this particular concentration camp in the Philippines?

Colonel WAGNER. No, sir; and I do not believe the Senator DIETRICH. Did you ever visit hell, so that the comparison?

Colonel WAGNER. No, sir, I don't think I have; I have pretty hard places. But I wish to say, in explanation that I do not think that camp existed; that if an officer camp as that it was his duty to make a report of such that to his superior officer. There is no evidence that was made. It certainly was not made while I was adjutant the department, or I would have seen it. In the secret are the marks of inherent improbability in the matter: No officer could afford to be gratuitously cruel, as a commanding officer of such a camp would have been, even if he because it would damn him among his fellows. He could have it on his record that he had allowed people to be ill-treated, or to suffer, as one would infer the people that letter which has been read. Again, the letter As it is stated, it is from an officer of the Army, a graduate of West Point; I will have to assume that that is the case; but that an officer should make such representations without his name should be given, because it reflects on his name and shows that he himself was guilty of dereliction of duty.

Senator CULBERSON. Of course you know, Colonel, state it on my own responsibility that he is an officer and a graduate of West Point, but it was so stated by Senator floor of the Senate.

Colonel WAGNER. On unquestioned authority and authority.

Senator PATTERSON. Senator Bacon knows his name,

Colonel WAGNER. So I assumed. I am very sorry to

such a comment on the statement of a brother officer, but it is exactly what I think of the matter.

The CHAIRMAN. I would like to ask you one question which may have been asked while I was not in the room. Did you visit the province of Tayabas?

Colonel WAGNER. No, sir; I did not.

The CHAIRMAN. Then you know nothing about the conditions in that province?

Colonel WAGNER. Only so far as reports from that province came to headquarters. That is one of the provinces in which I was serving, and official matters from that department came almost daily to my desk.

The CHAIRMAN. Were any complaints received by you from Major Gardener in regard to the condition of affairs in that province?

Colonel WAGNER. None. If there had been anything wrong on the part of the military forces, either officers or enlisted men in that department, the proper step for Major Gardener to have taken was to forward charges and specifications against the offenders. The fact of Major Gardener acting at the time as a civil governor did not deprive him of his status as an officer of the Army; and, moreover, any person can prefer charges against anybody in the military service. The only charges that ever came from Major Gardener to department headquarters, so far as I know—and I would have been almost sure to see any charges that came in—were those preferred against a young officer whom I mentioned day before yesterday. He was found to be of unsound mind. If there was any wrongdoing on the part of any officers or enlisted men those charges should have been sent in by Major Gardener, and then it would have been the duty of the department commander to have investigated those charges; and if they were found to be well founded, to order a court for the trial of the officers.

Senator CULBERSON. Major Gardener made a report to the civil governor of the islands, Governor Taft, about these conditions.

Colonel WAGNER. Yes, sir; he made a report in general terms. There was an extract from a report of Major Gardener to the civil governor which was sent down from division headquarters to department headquarters, the Department of Southern Luzon. It was general in its terms. It was apparently not intended for the military authorities, but an investigation was ordered, and nothing was discovered. Whether that was an extract from the same report which has since caused so much discussion I do not know.

Senator CULBERSON. Do you know Major Gardener personally?

Colonel WAGNER. I do; I have known him for thirty-two years.

Senator CULBERSON. About what aged man is he?

Colonel WAGNER. I should say he is about fifty-two years of age.

Senator CULBERSON. Is he an educated military man?

Colonel WAGNER. He is; he is a graduate of West Point.

Senator DIETRICH. The homes or huts of the people in the Philippine Islands are very small usually, are they not?

Colonel WAGNER. Yes, sir.

Senator DIETRICH. And very large families live crowded in these small huts or homes, as a rule, do they not?

Colonel WAGNER. They do. They can live that way because the houses are so well ventilated; they are a mere protection from sun and rain.

officer, or one in charge of prisoners, would be justified in striking a prisoner if the prisoner disobeyed orders that had been given.

Colonel WAGNER. It would depend on the nature of the degree of disobedience. If an order were disobeyed, it would be practical to put the man under charge of a guard, and under close confinement, or something of that kind, it should be. If it were a case of flagrant mutiny, or anything that would justify an officer in striking a prisoner, it would justify him in doing so because nothing but the most flagrant disobedience or insubordination would justify an officer in striking a prisoner.

Senator DIETRICH. From reading history, and from what I have been made to me by prisoners of the civil war who were in Andersonville and Libbey prisons, my information is that there were men who were crazed from starvation, thirst, and cold, who tried to escape and were shot by the guard. Were there any such cases at that time, according to your judgment, justifying the killing of prisoners under those circumstances?

Colonel WAGNER. They were. A guard is justified in striking a prisoner who attempts to escape, provided the prisoner is ordered to do so. The escape of a prisoner is a violation of the laws of war; he has a right to escape if he can; and if he is subsequently captured, his captors have no right to punish him for his attempt to escape. If, at that time, if the prisoner attempts to escape and the guard does not halt and he does not halt, the guard is thoroughly justified in doing so and would be delinquent if he did not.

Senator CULBERSON. Going back to the case of McIvor, I think your testimony on that is as clear as probably any I can make it; consequently I will ask you if the prisoner, under ordinary circumstances of disobedience to an order, may be assaulted by his guard or shot by his guard?

Colonel WAGNER. Not unless such measures are necessary to keep him in custody or to prevent a mutiny.

Senator CULBERSON. In other words, the conduct of a mutiny, something above an ordinary disobedience to an order?

Colonel WAGNER. It must be very serious misconduct of the prisoner, because ordinarily prisoners of war should be treated with the utmost kindness consistent with their proper custody.

Thereupon, at 11.30, the committee adjourned until Tuesday, 2, 1902, at 10 o'clock a. m.

WASHINGTON, D. C., *Thursday, June 18, 1902.*

The committee met at 10.30 o'clock a. m.

Present: Senators McComas (acting chairman), Beveridge, Dietrich, and Patterson.

TESTIMONY OF MARK H. EVANS.

(Sworn by the Chairman.)

By Senator PATTERSON:

Q. Where do you live?—A. In Des Moines, Iowa.

Q. What is your age?—A. 29.

Q. How long have you lived in Des Moines?—A. I have made Des Moines my home for eight or ten years.

Q. What is your business?—A. Insurance.

Q. Have you been in the Philippines as a soldier?—A. Yes, sir.

Q. In what company and regiment?—A. Company F, Thirty-second United States Volunteer Infantry.

Q. Did you hold any position in the company?—A. Yes, sir.

Q. What position?—A. First sergeant.

Q. How long were you first sergeant?—A. From the 17th day of August, 1899, until January 1, 1900, thirty days—more than thirty days—at that time I was only a sergeant—

Q. When did your company and regiment reach the Philippines?—A. October 29, 1899.

Q. And when did you leave the Philippines?—A. June 20, 1901.

Q. You were there altogether how long?—A. About eighteen months.

Q. In what part of the islands, with reference to any particular island, was your company stationed while you were there?—A. Pampanga and Bataan provinces, island of Luzon.

Q. You may state what you know, Mr. Evans, if anything, of your own knowledge of unusual or cruel practices toward the natives by soldiers.—A. Do you mean the soldiers the Government enlisted—the natives or American soldiers?

Q. Either.—A. I saw a little of it.

Q. Just state the details of what you saw, please, giving us dates, names, localities, and so on.—A. It would be hard for me to give you dates, because I can not remember them.

Senator BEVERIDGE. Approximately.

A. (Continued.) The only cruelty I ever saw is what is known as the water cure administered on three different occasions.

By Senator PATTERSON:

Q. When was that?—A. I first saw it administered east of Orani, place we were stationed, by the native scouts.

Senator BEVERIDGE. The Macabebes?

The WITNESS. The Macabebes and Ilcanos. I saw it again east of Orani, administered by an American soldier.

By Senator PATTERSON:

Q. And where was the third time?—A. The third time was at Orani, native scouts, and American soldiers were present.

and were pouring water down his neck. They let him asked him if he knew of any information and he said he I left at that time and I don't know whether this was ad more than one or not.

Q. Describe the process, please.—A. What I saw was on his back and he had a small stick in his mouth and holding his mouth open and pouring some water from down his throat.

Q. Was that all you saw on that occasion, or upon this expedition that you speak of?—A. Yes, sir; that was I saw the water cure administered to.

Q. Was there any secrecy about the matter?—A. There be none.

Q. Who was in command?—A. I don't know who was of the expedition.

Q. How many were engaged in the expedition, about some there were 300, including the scouts.

Q. And about how many scouts?—A. Perhaps there were I am only guessing at this from what I can remember.

Q. Was there anybody but Macabebes at this administering water torture?—A. Not at this one; no, sir. There were but the Macabebes were the only ones given the water cure.

Q. They were the Macabebes?—A. The Macabebes or

Q. Were the American soldiers witnessing it?—A. I believe

By Senator BEVERIDGE:

Q. Did you see the man get up after they got through pouring water down his throat?—A. Yes, sir.

Q. Did he walk away?—A. No; I think he was under not think he walked away. I think the guard took charge.

Q. He did not seem to be seriously injured?—A. No, I think he was seriously injured.

By Senator PATTERSON:

Q. Do you know whether they administered it to him up or not, or made preparations to readminister it?—A. I know.

Q. How long were you at this little town, about?—A. I got in there—I remember my detachment; we came in from sides of the town; got there about 10.30 or 11 o'clock.

Q. And you left about what time?—A. We left about 4

Q. Was there any firing done at that time?—A. Yes, sir.

Q. What was done?—A. The detachment from the west

in until ten or twenty minutes after we did. The natives began to run when they saw us coming and ran in that direction, and we heard shots out about a half mile or a mile. What they were I am unable to say.

Q. Were there any buildings destroyed by fire?—A. Not at that time; no, sir.

Q. Now, is there anything further that you have any knowledge of?—A. That day?

Q. Upon that date; yes.—A. Nothing that I saw; no, sir.

Q. Was there anything occurred that was spoken of generally in your company or regiment that day?—A. As to cruelty?

Q. Yes; as to anything unusual.—A. No, sir.

Q. You speak of the second occurrence, which was also east of Orani, by American soldiers. On what occasion was that?—A. That was the second time I saw it. Do you wish me to tell about that?

Q. Yes; tell about that, please, all you saw?—A. Several small detachments from company's garrisons at Orani took small boats and went out to little islands east of Orani, and the first island we went to was very small, only about 300 yards in length and about 100 yards wide. I presume there were a hundred inhabitants there. When we first landed we saw two men running away with guns, and I was among the soldiers that started out after those two men. We had to run in the swamp and mud, and we did not get them. We fired several shots at them, but we did not hit them; and when I got back I saw an American soldier with a native in the water in the bay. I got there just as he was bringing him up from under the water, and so I presumed he had dipped him down under the water.

Q. I wish you would state what you mean more clearly.—A. I presume he took him out in the water and put him under.

Senator McCOMAS. You say you presume so?

A. (Continued.) Yes; I was away and came back and saw him under the water.

Senator BEVERIDGE. Your impression was he had been ducking him?

The WITNESS. Yes, sir.

By Senator McCOMAS:

Q. You did not see it yourself?—A. Yes; I saw him bringing him out of the water.

Q. But you did not see him put him in?—A. (Continued.) And he went away and then produced a gun.

By Senator BEVERIDGE:

Q. That was your impression—that the soldier ducked him and then went and got a gun?—A. Yes, sir.

Q. He got the ducking?—A. Yes, sir.

Q. And the soldier got the gun?—A. I don't know that that soldier got the gun, but the gun —

Q. The gun was produced?—A. Yes, sir. Then I saw this same soldier take another soldier and duck him several times, but he didn't have any gun.

By Senator PATTERSON:

Q. How long would he hold him down?—A. It would be hard to tell; sometimes he would get away and come up himself; I could see that; perhaps he would hold him down half a minute or more and perhaps not so long.

day. We went to another little island, and there were v
at this place, and the women told us that such and suc
had picked out there was an insurgent. And the same
given the water cure to the others gave it to him again,
result as to finding out the location of any arms.

Q. Who administered it to him?—A. The same man
tered it the other times that I have told about.

Q. And in what way was this third administration giv
was waded out into the water about up to the waist and
in under.

Q. When you say dipped give us a little better idea ab
Senator McCOMAS. Immersed?

The WITNESS. Shoved under the water and held under
Senator BEVERIDGE. Ducking him, as we call it in this

By Senator PATTERSON:

Q. How long would he hold him there?—A. As I sa
would be hard for me to give you an idea. If he had hel
long enough it would have drowned him, and he never he
long enough to drown him.

Q. He did not hold him under long enough to drown hi
sir; I don't know how long it would take to drown him.

Q. Upon any of these occasions did you witness any s
results following the administration of the water cure?—

Q. What occasion, please.—A. This first one I think
about, the first one on this island.

Q. What about that?—A. He came out and was not s
up, and he was lying down in the shade by a pile of wo
lying there when we rode off.

Q. Was anybody paying any attention to him?—A.
were.

Q. What were they doing?—A. I think they were putti
ing on him.

Q. Did he appear to be helpless?—A. He was quite hel

Q. Was that a result of the water torture?

Senator McCOMAS. The ducking, you mean.

A. I could not say whether it was or not.

Senator BEVERIDGE. You just state facts and let infer

By Senator PATTERSON:

Q. Was that the administration from the canteen as yo
it or one of the duckings?—A. One of the duckings.

Senator BEVERIDGE. The first ducking?

The WITNESS. The first ducking.

By Senator PATTERSON:

Q. You spoke about seeing the soldier lifting this man up out of the water?—A. Yes, sir.

Q. What did he do more than lift him? Did he take him to the bank?—A. He talked to him, and he gave evidence of knowing something, and they walked him out on the ground again.

By Senator BEVERIDGE:

Q. When the Senator says, "They lifted him up," the man stood on his feet, did he not, and they talked together?—A. Yes, sir.

Q. That is to say, the soldier did not lift him up and hold him as a limp rag?—A. No, sir.

Q. He stood on his feet?—A. Yes, sir.

Senator PATTERSON. Thank you.

Senator BEVERIDGE. Not at all.

By Senator PATTERSON:

Q. After they walked him out what did he do?—A. He went to the pile of wood and told us there was a gun in that.

Senator BEVERIDGE. And there was?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. And then what?—A. Then I think they held him as a prisoner.

Q. Was this the man that you speak of lying by the wood pile?—A. No, sir; this was the second one that was lying by the wood pile.

Q. When they took him up out of the water what was his condition?—A. I left there and went to the other end of the little village, and when I came back I saw him lying there and recognized him as the man. That was the second case.

Q. And what was his condition when you saw him lying there?—A. He was lying there with his eyes closed, and the natives were about him putting on some dry clothing.

Senator DIETRICH. You are speaking of the first and second cases of duckings, are you not?

The WITNESS. Yes, sir.

By Senator PATTERSON:

Q. With those exceptions, do you know of anything else in the way of cruelties? You have detailed those three different occasions.—A. I meant to say that these two were included in the second.

Q. Yes; I knew that. You first told us——

Senator BEVERIDGE. You have enumerated three. Now, the Senator asks you how many others.

The WITNESS. I mean have you understood that these last two cases were included as one and that there is another one?

Senator PATTERSON. I beg your pardon; I misunderstood you, and we all did.

Senator McCOMAS. I did not.

By Senator PATTERSON:

Q. Where was the third occasion?—A. In Orani.

Q. Tell us about that place.—A. That was administered from the canteen, and a tooth was knocked out of that man's head; that is all there was to that.

Q. How was it knocked out?—A. They had a stick in his mouth and I presume they pressed on it too hard.

result in, if you know of any?—A. Nothing.

Q. And being reported to be a corporal in the Filipino revolution army, he was held for three or four months?—A. Yes.

Q. With these exceptions, were there any others—did any other unusual or extraordinary conduct toward members of your regiment?—A. Another time I saw a man administered by Macabebes.

Senator McCOMAS. This third time was at Orani and who were present?

The WITNESS. Yes, only twice I saw American soldiers.

By Senator PATTERSON:

Q. What cruelty do you refer to being administered by Macabebes?—A. There was a detachment of Macabebes came to town, Orani, in the afternoon, and that evening they went a couple of miles looking for a major, I believe, of the revolution. He was passing that way, and we had received orders from the military to watch out for him. They thought they located him, went out and found a man who answered the description, but he said he was not an insurgent, and the Macabebes hit him and knocked him about and tried to get a little information out of him, but they were unsuccessful.

Q. Just describe the hitting and slapping, or whatever degree of violence that was used.—A. They would slap his face and hit him under the jaw.

Q. With what?—A. With their fists.

Q. Now, is there anything else?—A. No, sir.

Q. What, if anything, do you know about firing toward villages?—A. Yes; we burned a number of villages.

Q. What was the largest town you burned?—A. Abucayan.

Q. About how many people were there?—A. I presume seven or eight thousand people in that town. I was not there at the burning, but I was there the next day, a day or so afterward.

Senator BEVERIDGE. What province was that?

The WITNESS. Bataan.

By Senator PATTERSON:

Q. And when was it?—A. The 25th day of May, 1900.

Q. How much of the town was burned?—A. All the business portion and a number of shacks, the houses which they call houses. It was the intention to burn the business portion and not the houses.

By Senator McCOMAS:

Q. You were not there?—A. No, sir.

Q. How do you know the intention of the people?

Senator PATTERSON. He gathered it generally from his report the next day.

A. They fired at us from the business portion of the town, and that is the reason I know they intended to burn it.

By Senator BEVERIDGE:

- . They fired at your regiment from the town?—A. Yes, sir.
- . Is that the reason it was burned?—A. Yes, sir.

By Senator PATTERSON:

- . What was the next town in size that you know of being burned, what was it?—A. Probably three or four hundred people.
- . What was the name of that place?—A. El Capitain.
- . Were you present at that?—A. Yes, sir.
- . Was it totally destroyed?—A. There was not a house left.
- . What was the reason, if you know, for doing it, if there was reason?—A. We had been informed that there were two noncommissioned officers of the insurgent army living there, and we went a number of times to try to find them, but we were not able to find them. We went down there one time and found one of them. We had had information that there had been several meetings of the insurgents at this town, and my captain told them that if they did not let him to break it up and stop these meetings there, that he would burn the town. We went down there one day and caught this insurgent, a corporal or sergeant, I forget which he was, and he told us that the presidente of the town and the officials of the town had known all the time that he lived there; and so we burned the town.

Senator BEVERIDGE. In other words, this was what is called a nest of insurgents?

Senator PATTERSON. He did not say that.

Senator BEVERIDGE. I am asking him whether that is the case where that term has been used.

Senator McCOMAS (acting chairman). Let the Senator finish his question, and then you can cross-examine him.

By Senator PATTERSON:

- . Do you know of any other reason for the destruction of this town than what you have detailed?—A. No, sir.
- . In all, how many towns and villages, as nearly as you can now recall, were burned, destroyed by fire by the American soldiers?—A. I remember of five of what might be called villages, but we destroyed a number of houses where there were two or three houses clustered together.
- . Five villages. Is that in addition to these towns you have already told us about?—A. No, sir; that is including those towns.
- . And a number of houses in addition that were clustered together?—A. Yes, sir.
- . And these were all in what province?—A. They were all in the province of Bataan, those towns, with the exception of one, Bagot. I remember correctly, that town was in Zambales Province, but I am not sure now.
- . Do you know of anything else of a general character as to which you have been making inquiries, besides these cases of the water torture and burnings?—A. No, sir.
- . State the general attitude and demeanor of the soldiers toward natives.—A. It was good in my company.
- . How about other companies that you observed or knew of?—A. So far as I knew the conduct was all right.
- . So that these matters that you have detailed would stand as the exception to the general rule of fair treatment, would they?—A. That

information that there were either insurgents there or who had fired upon our men, or towns where insurgents had been. Was not this true?—A. That was always so to my knowledge.

Senator McCOMAS. In relation to the five villages you mentioned?

The WITNESS. Yes, sir. There was a general order to burn these little clusters of houses near the mountains, our quarters, where we were always having trouble.

By Senator BEVERIDGE:

Q. Those little clusters of houses were nipa huts in the mountains?—A. Yes, sir.

Q. The mountains where they were were very convenient places for ladrones and insurgents?—A. Yes, sir. They were in the mountains, they were in the foothills.

Q. I know, in the foothills, and the mountains were back of them?—A. Yes, sir.

Q. And as a matter of fact those mountains had been a place of ladrones, to say nothing of insurgents, for a long time?—A. I can only testify from hearsay evidence.

Q. That was the general understanding?—A. Yes, sir.

Q. The general understanding was that that was true?—A. Yes, sir.

Q. You spoke about this town of 300 inhabitants about which Senator Dietrich questioned you. They told you that if they did not give up those insurgents the town would be burned?—A. Yes, sir. You said that, as I understood you?—A. Yes, sir.

Q. And after this insurgent was captured he told the command that the presidente and officers had known all the time of his being there?—A. Yes, sir.

Q. I asked you in the midst of Senator Patterson's question whether this town was generally understood to be a nest of insurgents?—A. I do not think it was generally known that it was a nest of insurgents.

ished when they were given this cure; it was a sort of unpleasant
ing to go through, and you could notice it in one way or the other
r they suffered. But they were not suffering to the extent that
y were helpless.

Q. As to subsequent effect, you saw no bad result except in the two
ances you have named?—A. No, sir.

Q. A man lying on the wood pile who seemed simply to be weak.
he seem to be sick at the stomach, or anything like that?—A. I
t know; he was lying there; I don't know what was the matter.

Q. These instances were about two years ago, as I understand it?—
Yes, sir.

Q. In 1899 and 1900?—A. Yes, sir; they were early in 1900.

Q. And how long did you spend in the islands altogether, Sergeant?—
Eighteen months.

Q. During that time you were in active service—you were in mili-
y service during that time?—A. Yes, sir.

Q. And you spoke of these instances during that eighteen months
ervice as the exceptions?—A. Yes, sir.

Q. Did you see any prisoners taken during this time?—A. Yes,

Q. And what was the conduct of the American officers and men
ard the prisoners that were taken, with respect to care and kind-
s shown to them?—A. They always had plenty to eat. Their
rters of confinement were not the best. We had so many of them
t it was necessary to put them in such quarters as we had—the
on.

Q. The same quarters that our own men were put in when they were
ioners?—A. Yes, sir.

Q. If any of them were wounded what attention was given to them,
geant?—A. Those that came to our town that were wounded were
in the hospital.

Q. Our hospital? A. Yes, sir.

Q. Along with our own soldiers?—A. Yes, sir.

Q. And they were treated by what surgeons?—A. The surgeons
iled.

Q. American surgeons, you meant?—A. Yes, sir.

Q. And if nursed at all, were they nursed as our own soldiers
e?—A. So far as I know, they were.

Q. But, with reference to the people who were engaged in peaceful
suits, what did you understand to be the orders and expectations of
r superior officers with reference to your conduct toward the peo-
as to kindness and consideration?—A. The orders were always to
at them kindly and considerately.

Q. You did that, did you, sergeant?—A. Yes, sir; my company did.

Q. You and your comrades?—A. Yes, sir; my captain would not
mit any such treatment at all.

Q. Your captain would not permit anything but kindly treatment?—
No, sir.

Q. And that was the treatment accorded to people who were not
ioners?—A. Yes, sir.

By Senator PATTERSON:

Q. Why do you say, when you are asked about the general treat-
it of the Filipinos, that "my company treated them well?" Is
e any reason for making that particular specification?—A. Yes, sir.

Q. State why.—A. Simply because we had a commander, our captain, who was known throughout the regiment for his kindness toward natives, and he would not allow us in any way to harm them or misuse them.

Q. Did your company differ from any of the other companies that respect?—A. I only know by hearsay evidence.

By Senator BEVERIDGE:

Q. The general conduct of the Army, the general conduct of the American officers and soldiers toward the people under the orders that you have spoken of, to treat the people kindly, was, as you have stated, the general and usual conduct?—A. Our orders were to always treat them kindly.

Q. And the general and usual conduct of American troops in obedience to those orders—not exceptional instances, those have been testified to, but the general ordinary course of conduct of American soldiers and officers—was what?—A. They had to obey their orders.

Q. They did obey them?—A. So far as I know.

By Senator McCOMAS:

Q. Was or was not the general character of American men over there in arms humane and kindly, so far as you observed?—A. So far as I know; yes, sir.

Q. Did you find that Americans who in this country are humane and considerate, and not cruel, by reason of the voyage across the sea became suddenly different from what they were at home? You did not find anything of that kind, did you?—A. No; I do not know that they changed them at all. Of course when occasionally we found some of our men piled up dead, ambushed, we were ready to do most anything.

Q. Yes. Did you ever find any of them mutilated?—A. Yes, sir.

Q. Badly mutilated?—A. Ears cut off.

Q. Describe it, please.—A. They killed two men one day when we were having a little skirmish with them, and we retreated, and then we were reenforced, and we came back and found their clothes all around and their ears cut off.

Q. Any other indignities to those American soldiers or their bodies?—A. Wherever we found a man killed and left, he was more or less abused or shot a number of times.

Q. Abused in what way?—A. I recall an instance where the dead body had been bayoneted.

Q. Otherwise mutilated?—A. No, sir; only the shot had killed him and then he had been bayoneted.

Q. Do you know of any other instances like those two you have described?—A. No, sir.

Q. You were in Bataan, which is northeast of Manila and southeast of Zambales Province?—A. Yes, sir.

Q. Was the insurrection quite active in the province of Bataan some of the time while you were there?—A. No, sir.

Q. You had some skirmishes and fights there?—A. Yes, sir.

Q. Pretty stout resistance?—A. No, sir.

Q. In the towns where you would be located, quartered, staying for a while, or near the towns, did our American soldiers treat the women and the families and the children humanely?—A. Yes, sir. Of course there were a lot of petty offenses.

Q. But they generally treated them humanely and kindly?—A. Yes, sir.

Q. And protected them and their property and in their avocations in time of peace?—A. Yes, sir.

Q. Then of these three cases you speak of I understand that two of them were conducted by native scouts?—A. Yes, sir.

Q. And they administered the water cure in the way you have described it?—A. Yes, sir.

Q. And the third case was a case of a ducking by an American soldier to two Filipinos in a river or stream?—A. More than two cases.

Q. More than two cases by scouts?—A. More than two people.

Q. I thought there were two in succession.—A. There were two in that place and I said there were some in another place.

Q. Then this same American soldier, who was probably a stout, robust fellow, ducked some at different places?—A. Yes, sir.

Q. You have gone swimming in your boyhood days?—A. Yes, sir.

Q. Have not you ducked a boy, or have not you been ducked, in your experience in going in swimming?—A. I don't recall any of them.

Senator BEVERIDGE. What, you never were ducked?—A. No, sir.

By Senator McCOMAS:

Q. Didn't you duck anybody?—A. I don't recall anybody.

Q. After the insurrection subsided were there many ladrones in Batuan and Zambales?—A. Yes, sir.

Q. And you endeavored to extirpate these robbers, did you not?—A. Yes, sir.

Q. With what success?—A. With no success at all. They surrendered after my regiment left the place.

Q. After you left they surrendered?—A. Yes, sir.

Q. So far as you were informed, and by tradition, there had always been bands of robbers in that section?—A. There was a distinction between ladrones and insurgents.

Q. Just state it.—A. I think in every province in Luzon Island there has always been a band of ladrones pillaging, stealing, and occasionally killing, and it is generally understood that while they were not enlisted as insurgents, they were always ready to help the insurgents.

Q. And the American troops under their officers endeavored to stamp out these ladrones wherever they could, after the insurrection abated. That was so, was it not?—A. Yes, sir.

Q. Then, after you occupied these towns, after the fighting was over, the treatment of the natives and the inhabitants of the villages was such as by degrees to bring kind feeling among the natives toward the American troops; was it or was it not?—A. I don't think they appreciated it at all; I don't think they appreciated the conduct of the American officers and soldiers toward them.

Q. You don't think they did?—A. No; I do not think they did.

Q. What makes you think so?—A. If they had done so they would have been more ready to give us more information in regard to the insurgents.

Q. That did not change your conduct under your orders, your kind treatment and conciliatory treatment of them?—A. No, sir.

Q. You have been asked about that; so in respect of the treatment of women and children and people in the villages, with their property and business, the care of prisoners, when prisoners were taken—you did take some prisoners of war?—A. Yes, sir.

Q. And those prisoners when so taken were treated kindly and given attention in the hospitals, along with the American soldiers, if

course. But you have named the exceptions. Is my judgment of your observation correct or not?

Senator BEVERIDGE. The Senator is asking about the general statement as I understand it.

By Senator McCOMAS:

Q. Is that the general statement of your observations in your experience?—A. With the exceptions; yes.

Q. With the exceptions you have named?—A. There are a number of exceptions that I might recall where some soldier has not acted as his uniform should suggest to him to act—a number of instances.

Q. Too trifling, I suppose, to attract your attention. In your experience in the province of Zambales as well as in your general statement?—A. Yes, sir.

Q. You served in Luzon only, and that applies to your observations of every part of Luzon?—A. With exceptional cases?

Q. I mean with the exceptions you have mentioned and the things you have not mentioned, applied to your knowledge of your own command, your own company and regiment, and such other companies or regiments of American soldiers as you have observed?—A. I can not answer that; only I know the general order.

Q. I mean so far as you observed?—A. Yes, sir.

By Senator BEVERIDGE:

Q. Where was your first service in Luzon when you first arrived?—A. Angeles, in Pampanga Province.

Q. North of Manila?—A. Yes, sir.

Q. You were in General MacArthur's division?—A. Yes.

Q. What was your observation, if you had any at all, of the American military authorities when they would enter a town, drive the insurgents out, then when the people would return, as in the case of the schools there for the children and detailing private soldiers?

and the next thing was to establish schools for children and detail private soldiers to teach them?—A. No, sir; that was not always done immediately. We often had to go back to a town three or four times before we could spare soldiers enough to garrison it, but that was done as soon as we could spare soldiers enough to garrison a town.

Senator BEVERIDGE. That is all.

By Senator McCOMAS:

Q. You have seen those schools?—A. Yes, sir.

Q. Did the children seem to be anxious to go there, anxious to learn?—A. I don't know whether they were or not.

Q. There was a good attendance?—A. There was a good attendance.

By Senator PATTERSON:

Q. You told us of a number of towns and villages that you know of being destroyed by fire, and also houses. I wish you would give us an idea of the percentage, so we could form an estimate of what was burned and what was left standing, as to the percentage of houses and towns in the localities you saw that were destroyed by fire?—A. Bataan was about 30 miles long and all on the Bay of Manila. We knew that there were insurgents in the mountains, but we never could find them, we never could get guides that could take us to them. There was an order issued to destroy all of those little shacks in the mountains in our province, and to make the people come into the towns, and they were destroyed. How many were destroyed I don't know. There were perhaps ten or fifteen right back of our garrison that we destroyed; one or two here and three or four or five there.

Q. That was for a distance of 30 miles along the coast?—A. Yes, sir.

Q. Now, what percentage did that include of the buildings that were standing in that province when you got through?—A. That is a pretty hard question for me to answer. You take a little town populated with a thousand inhabitants, and each family will perhaps have two or three of these little shacks on their grounds, and when you make the per cent of them and then the scattering houses near the mountains we burned, I certainly would have to do some figuring before I could tell you. But they were all destroyed near the mountains, all of them—by an order. It was our duty to destroy those in our garrison, or what we included in the territory of our garrison, and we did it.

Q. In that province was 10 per cent of the houses left standing?—A. Yes, sir; there were more than that.

Q. How much more, do you think? I ask you that simply to get some idea.—A. Do you mean taking and counting each house in the towns along there, and then the houses that were burned that were not in the towns?

Q. Yes, sir.—A. Well, I should say from house to house I do not think there was over 10 or 15 per cent destroyed, because you can not imagine the number of shacks that would be in a little village until you saw one of them. They were very thick. You can count them one by one.

Q. How many people lived in that province—what was the reputed population of the province?—A. I don't know that I ever heard.

Q. It was what you would call densely populated?—A. No, sir.

Q. How many do you say were left when you came?—A. There were people living in all of them.

Q. So far as you know the burnings would amount, your rough estimate, from 10 to 15 per cent only of the villages or towns and houses?—A. Yes, sir.

Senator BEVERIDGE. That was in the province where the rebellion was rife?—A. Not any more so than when we first went there.

By Senator McCOMAS:

Q. When these people were in the mountains you burned along the mountains?—A. Yes, sir.

Q. But after the insurrection had been practically subdued, were the only places burned to your knowledge?—A. That was the only place where there were many insurgents in that province when we left as when we came there.

Q. There were?—A. Yes, sir; we were never successful in subduing them on account of the dense forests in the mountains.

Q. And all you could do would be to burn these shacks along the hills, and those were burned?—A. There was an order to burn them.

Q. And they were burned according to the order?—A. Yes.

Q. That was the only burning after the insurrection had been subdued, along the bay; those were the only serious burnings?—A. No, sir; besides, were they, the burning of those shacks along the foot of the mountains?—A. They were the only cases in which I remember, but I do not want you to understand that the insurrection had been subdued, because it had not been subdued.

Q. I understand; but in the latter part of your stay there were only cases of burnings you had any knowledge of?—A. We were burning more or less during all the time of our stay there. The instances I have given you of villages or parts of villages or of houses being burned were not all at one time.

Q. I understand; but the point was that you were there from September 29, 1899, to June 20, 1900, and the last burnings of

passed through there and came back?—A. No, sir; there were few people living there when we got there.

Q. How far north of San Fernando is that?—A. About 16 miles.

Q. Did you go on the railroad or march up?—A. We went on the railroad.

Q. Sergeant, do you mean to say that surrounding San Fernando they were not at work in the fields— A. I am speaking of Angeles; we did not stop at San Fernando.

Q. I know that, but at Angeles that the people had not returned to their homes and to their work?—A. Yes; I mean to say that there were very few inhabitants at Angeles.

Q. You did not stop at San Fernando?—A. No, sir.

Q. But you looked out the car windows as you went along?—A. Yes, sir.

Q. You saw the people at work in the fields?—A. Perhaps I misunderstand you.

Q. As I understand it, after the people found the disposition of our troops to be kindly they returned to their homes and fields and went to work?—A. That is true, but I thought you were speaking of Angeles particularly.

Q. No; I merely referred to Angeles because you were there.

A. The insurgents' outpost was only a half a mile above Angeles and the natives were behind them, and very few of them came into Angeles when we got there.

Q. I merely mentioned Angeles as a point of location. To frame the question in this way, on your trip northward to Angeles, which at that time was the farthest outpost looking out of the car windows, you saw the people at work in the fields?—A. Yes, sir.

Q. Do you remember crossing the Bagbag River at Calumpit?—A. Yes, sir.

Q. Do you remember seeing the people coming down the river with their goods and cascos?—A. I don't know that I saw them coming down the river. I observed a number of cascos tied up to the bank.

By Senator McCOMAS:

Q. And before you left they were returning from the country quite speedily to their villages and fields?—A. There was a great deal of work going on in the fields when I left.

Senator BEVERIDGE. Usual conditions had been reestablished? (Witness excused.)

(Thereupon, at 11.40 o'clock, the committee took a recess until 2 o'clock p. m.)

AFTER RECESS.

The committee reassembled at 2 o'clock p. m.

Present: Senators Beveridge (acting chairman) and Culberson.

TESTIMONY OF SEIWARD J. NORTON.

(Sworn by the acting chairman).

Senator BEVERIDGE. As the witness has been called at your instance, will you proceed with the examination, Senator Culberson?

S. Doc. 331, pt 3—59

pino people by the United States soldiers so far as you
A. Except in isolated cases the treatment was all that could
or desired. The treatment was humane and lenient except
in a few isolated cases.

Q. Who was your commanding officer?—A. Well, Lieutenant
Lieutenant Brooks was my commanding officer for some time.
Lieutenant Conger and Captain Hunt commanded me for some time.

Q. Who commanded your regiment?—A. It was commanded by
Captain Griffith most of the time. We did not have our own
us at all while I was there.

Q. What were these isolated cases to which you have referred?
There were cases in which the water cure was administered
in which evidence was extracted from men in a manner I consider
consistent with humanity or the laws of war.

Q. I will get you to take up those cases one at a time before the
committee what you saw.—A. There is only one case I can
detail, because as a general thing I was not a witness to the
meted out to the natives, although I am satisfied that there were
instances than those instances that I saw. I can relate to you
Three of our men were sent from Jaro, our station, to San Miguel
beef. San Miguel is about 7 miles from Jaro. When they started
from what I learned of the circumstances afterwards, they were
very hospitably by the natives and directed by the president
the road that went north.

By Senator BEVERIDGE:

Q. Were you with them?—A. No, sir.

Q. What you relate, then, is hearsay?—A. It is now hearsay.

Senator BEVERIDGE. That has been excluded by the rules.
The witness can only relate his personal observation.

The WITNESS. I was about to relate the circumstances.

The WITNESS. The name of the informant can be given.

Senator CULBERSON. Go ahead.

The WITNESS. Private Brown, of E Company, later a corporal, who is on detached service with the scouts.

By Senator BEVERIDGE:

Q. Where is he now?—A. Probably discharged from the Army and he is at his home.

Q. Do you know his residence?—A. No, sir.

Q. What was his station? I want to fix this.—A. Company E, of Eighteenth Infantry; I am quite certain he was in Company E, though there were men from all the companies in the regiment.

Q. That is, you are reporting what he said?—A. What he told me.

Senator BEVERIDGE. I have no objection under those circumstances.

Senator CULBERSON. Proceed, Mr. Norton.

The WITNESS. He told me that they took the road out there; I think it was the one leading north from the town. The road ran in this direction [indicating], and they went out there, and shortly after they left the town they were fired upon, and the circumstances under which they were fired upon lead them to believe that the presidente, who appeared to be friendly when they went through, was in reality responsible for that firing, and that certain members of the police force were in the insurgent force when they were fired upon. These men came back, and we were ordered out to San Miguel immediately, and we went out there. The first person taken was the vice-presidente. I did not see him water cured. He was taken to the creek. The contact was here [indicating] and the creek was down here. This is hearsay, and I can not give the name of my informant—

Senator BEVERIDGE. Do not give it then.

Senator CULBERSON. Just state what you observed.

The WITNESS. I observed that when the vice-presidente came back he looked very much as though he had been laid down in the creek and was covered full of water. Then a member of the police force (I am under the impression he was a private, although I do not know his rank), was taken down and water cured. He was water cured several times.

By Senator BEVERIDGE:

Q. Are you giving hearsay or something you observed?—A. I did not see him water cured.

Q. Can you give the name of your informant?—A. No, sir.

Senator BEVERIDGE. Then do not give it.

By Senator CULBERSON:

Q. Just state what you saw.—A. I was on guard and acting corporal of the scouts. A man named Bender, who belonged to Company I, 10th, of the Eighteenth Infantry, came up and told me he wanted to help "water cure" this native. I told him that I had no particular objection. So we went to the southwest corner of the convent and went through a trapdoor—at least, it was a door which opened out of the floor—and went down into a small room under the floor. We went down a small flight of steps, and this floor was about as high as this is above the ground. We were directed there to throw the native like him down, and we picked the native up and laid him down. He was a small man, and he didn't make much resistance. One man held of his leg, and I had hold of his leg, and another man had

with it. My connection with the affair ended there.

Q. Did they secure what information they wanted after the water cure was administered?—A. I could not say positively, but it is to be presumed they did. They got rifles and pistols, antiquated weapons.

Q. What effect did this water cure seem to have upon him?—A. I was under the impression that it produced temporary distention or that there was a danger of it. Of course it distended his bowels; there was no limit to the amount of water the man took.

Senator BEVERIDGE. You mean distended his stomach.

The WITNESS. Yes; distended his stomach; I am not a physician. It did not injure him permanently, for I was on guard over him afterwards.

By Senator CULBERSON:

Q. How long?—A. It might have been a day or two before we came in.

Q. What officer had this water cure administered?—A. In command, Captain Glenn and Lieutenant Conger. I was acting judge-advocate, United States Army, and of the department I was in. I did not hear them give the order when they were in command.

Q. Were either of those officers present?—A. They were not when the water cure was administered; no, sir; I am not speaking of.

Q. Do you know whether either of those gentlemen, had any personal knowledge of the water cure being administered, either then or at other times, by the soldiers to the prisoners?—A. I certainly know they had knowledge. It is not the custom of the army to—

and assume that responsibility. Whenever an act is executed by a soldier and an officer is present, the inference can safely be drawn that the officer gave the order and that the soldier was obeying it.

Senator BEVERIDGE. You should do as the Senator from Texas suggests, simply give the facts, and the committee is competent to draw its own inferences.

By Senator CULBERSON:

I believe you state there was no commissioned officer present when this water cure was administered?—A. There was not.

Was there a noncommissioned officer present?—A. Not any warranted noncommissioned officer that I know of. Bender was acting as a corporal, but he did not have any warrant to my knowledge.

You say that the soldiers, in consequence of this water cure being administered, found a lot of guns and pistols?—A. It is my impression that the information on which they acted when they got the guns was extracted from the natives.

Is that the only instance, Mr. Norton, coming under your own personal observation of water cure in the Philippines?—A. It is the only instance that I actually witnessed, that I actually saw and would be willing to testify to.

Were you informed by soldiers of any other instances?—A. I was at various times, of various instances.

You may state them, if you can give the names of your informants?—A. My informant is Bert B. Swilling, of Company K, Eighth Infantry, who was stenographer for Captain Glenn while in the Philippines or while on special duty in his office. Mr. Swilling told me from time to time of cases in which natives had been water cured of which he knew of.

Senator BEVERIDGE. Specify what cases.

The Witness. A great many different cases. I don't know that I can specify exactly the cases. I know that he spoke of cases where natives had been water cured in Lieutenant Conger's house, and in a place called Oton. I saw Mr. Swilling about a month ago in Los Angeles and he told me about it; it was about a month, or three or four weeks ago.

By Senator CULBERSON:

Without going into details as to the instances, how many instances of water cure practiced on the Filipinos did Mr. Swilling inform you of?—A. He specified five different cases, and said that he knew the names of the instances, but I did not listen to what he had to say particularly; it did not make any great impression; I didn't care to remember it at all.

You say he was employed in the office of Captain Glenn?—A. Yes.

The judge-advocate?—A. Yes, sir.

Did any other person inform you of the administration of water upon Filipinos besides Mr. Swilling?—A. In my talks with the members of the troop, but I could not give the name of any informant. I have heard of other instances.

Senator BEVERIDGE. Don't give it then.

By Senator CULBERSON:

According to your information, Mr. Norton, was not the water cure generally resorted to by the soldiers in the Philippines for the

soldiers over there?—A. Oh, yes.

Q. Just state what towns you saw burned.—A. Well on this expedition this time; we started one morning at rode around the country to the north of Jaro to San Miguel back down this road. It was not the town of San Miguel built along the road side by side—barrios—and we built string of houses there, it is my impression, to San Miguel was my scout leader, and I was his squad. I was the only squad present. Brown was acting corporal in the squad ordered to go out with his squad and burn houses there, the order.

Q. How many houses did you burn at that time and could not say how many houses we burned. We burned some of them and doubtless a great many we left we did not. A troop was traveling right along, and we did not make a stop after we lighted a house.

Q. Why was that barrio burned?—A. I think to punish the natives. I know after we got through our burning, at San Miguel, we came across the bodies of two American carcasses of horses that had been ridden by the soldiers and upon.

Senator BEVERIDGE. Oh, they had been firing from the barrios. They must have been.

Senator CULBERSON. He stated that the soldiers were before that.

Senator BEVERIDGE. From these barrios?

The WITNESS. I do not know whether it was these barrios. The barrios were on this side——

Senator BEVERIDGE. I do not want to interrupt, but is it not the case that those barrios were burned because our people

Q. Can you state about how many towns you saw burned?—A. Oh, no.

Q. Can you state the population of all the towns which you saw burned?—A. I could not imagine what it might be.

Q. Were the people in the houses warned to get out before setting fire to them?—A. Oh, yes.

Q. You allowed the inmates time to get out and then their houses were burned?—A. Yes, sir.

Q. You have stated that with the exception of isolated cases the treatment of Filipinos by the American soldiers was humane?—A. Yes, sir; very much so.

Q. And considerate?—A. So humane and considerate that it was deemed a weakness on the part of the natives.

Senator BEVERIDGE. You mean the natives deemed it a weakness on the part of the Americans?

A. (Continued.) The Americans' leniency was deemed a weakness by the natives.

By Senator CULBERSON:

Q. I take it from your testimony that you do not know of any instances in which Filipino prisoners were badly treated, do you?—A. Not one.

Q. What time did you say you left the Philippines?—A. I boarded the transport in Capiz the 12th or 13th of September and left Iloilo on the 16th of September.

Q. Of what year?—A. Last year, 1901.

Q. Were you in any battles or fights over there?—A. Several.

Q. How many troops were engaged on a side?—A. We never could estimate the number of natives accurately, but we were always under the impression that we were considerably outnumbered. We were never fired upon unless it was from ambush. There is not one instance where there was not an ambush on their part when they fired. They never fought in the open. They ambushed our column and of course we had no way in which we could compute the number of insurgents.

Q. What was the result of the battles? Were any American soldiers killed in any of these fights?—A. Oh, yes; sometimes.

Q. What was the proportion of killed on the American side and on the Filipino side?—A. If there were many Filipinos killed you could not tell the number, because they were much fleet of foot than the Americans, and they would generally take away the bodies, and we seldom found any bodies. It was always our impression—well, it was always my impression—that there were about five natives to every American in every fight, and generally more.

Q. Did the Filipinos carry off their wounded as a general rule?—A. Yes, I don't remember of ever finding any.

Q. You don't remember of ever finding a single wounded Filipino?—A. No; not a particular instance, because I was never in a detachment that was sent out to scour the fields. When we fought we fought in extended order, and I don't know that I ever retraced the ground that we traveled over when we were skirmishing, and I don't know that I would recognize the ground if I did; and, therefore, unless I came exactly upon the body of a native I would not notice any.

Q. You stated in the beginning of your testimony in effect that there were isolated cases of cruelty and conduct contrary to the rules of war.

By Senator BEVERIDGE:

Q. You have just stated a second time, in answer to Senator's question, that certain exceptional and isolated cases were of opinion contrary to humanity and the rules of war, by which you mean this water cure?—A. Yes, sir.

Q. If that is the case, how does it happen that Swilling told you of instances of water cure did not make any impression on your mind?—A. Because I heard so many of them.

Q. You got used to it?—A. Yes; I got used to it. I was acquainted with Swilling.

Q. How did you happen to pick out Swilling?—A. For no reason.

Q. No; how do you happen to instance Swilling as the only one you can remember who told you?—A. Because I knew him a great deal better than I did any of the other boys, or most of the other boys, and I was in one office and he was in another, and we would talk over these things at the time.

Q. And yet it made no impression?—A. It certainly made no impression, but it did not make such an impression that I could remember all the details of each case, if he gave me the details.

Q. How long were you there altogether?—A. In the Philippines.

Q. Yes.—A. I joined my company the 23d of September, 1901, and I left, got on the transport, the 12th of September, 1901.

Q. About two years then?—A. About two years.

Q. Speaking of these prisoners and their treatment by the Americans, do you observe a good many prisoners after the Americans had taken them?—A. Yes, sir.

Q. And what do you say of the treatment that they received at the hands of the American soldiers and officers with reference to humanity and consideration?—A. It was humane and considerate.

Q. If any of them got sick what was done with them?—A. They were treated by the surgeons.

Q. What surgeons?—A. The American surgeons.

humanity in the particular of the food that was given them by our forces? A. No; they got a great deal better food from the Americans, I think, than they had themselves.

Q. With reference to the treatment of the people at large, who were not prisoners, who were engaged in peaceful pursuits, what was your understanding as to the orders of General Hughes and the expectations of your commanding officers as to the treatment the soldiers should give the people? A. There were different opinions over there. General Hughes could be considered only one way, and General Hughes is a fine soldier——

Senator BEVERIDGE. I am not asking for your estimate of General Hughes as a soldier; I am asking your understanding as to the orders given concerning the treatment of the people.

Senator CULBERSON. He was about to answer the question in his own way.

Senator BEVERIDGE. I know; he is going off and giving his opinion of General Hughes as a soldier. I am asking him what was his understanding as to the orders of General Hughes and his commanding officers as to the conduct of American officers and soldiers toward the common people.

A. I do not exactly understand the question. His orders were not inhuman or brutal.

Q. You stated at the beginning of the testimony that kindness and consideration shown by American soldiers and troops were such as to make them feel it was weakness on our part. That was in pursuance, was it—— A. To the policy of the Americans.

Q. That is it exactly.--A. That was General Hughes's policy.

Q. That policy, of course, was enunciated in his orders and his instructions?--A. In the instructions from officers to soldiers.

Q. That was the spirit which animated the troops?—A. Yes, sir.

Q (continuing). In Panay when you had taken possession of a town, for instance, like Jaro—— A. I was at Jaro, but was not there when they took possession.

Q. You were there afterwards?—A. Yes, sir; that is true.

Q. Had the American military authorities set up schools there?—A. Yes, they did; I know they had schools there. They had a better system than they had under the Spaniards.

Q. Our military authorities did that; that was under military régime at that time?—A. Yes; it was under military rule.

Q. There was no civil government; I mean to say the civil government, so called, had not taken possession?—A. The *alcaldes* still held forth.

Q. But the whole thing was under the American military forces?—A. Yes, sir; certainly.

Q. And did you observe American private soldiers detailed to teach these schools?—A. I knew of several instances where they were detailed; I did not observe them when they were teaching, but I knew several boys that were detailed to teach schools over there.

Q. That is, detailed from the ranks?—A. Yes, sir.

By Senator CULBERSON:

Q. You wanted to make an answer to Senator Beveridge's question a while ago with reference to General Hughes's orders, and when you proceeded to speak of General Hughes's policy you were interrupted by Senator Beveridge. You can finish what you desire to say, if you wish.

to.—A. I simply wanted to tell the Senator that General Hughes' policy was humane and kind, and his orders always evident to treat the natives with kindness and consideration.

Q. What became of the women and children when the towns and towns were burned?—A. I don't know that I was there much. I have repassed burned towns after three or four years and generally found that the people lived where their homes had been—that they had erected a nipa shelter there.

By Senator BEVERIDGE:

Q. The houses burned were nipa houses, where they no longer lived but the ones that replaced them were even ruder.

Q. Those houses can be constructed in a day or two, can they not?—A. No, I don't think so.

Q. But they are very simple?—A. Very simple; yes.

Q. And can be constructed in a short time?—A. Yes, sir.

By Senator CULBERSON:

Q. Is that a part of what you call kind treatment of the natives in burning their houses?—A. It was necessary—absolutely necessary.

Q. I will come to the necessity part of it after a while; you now if that is a part of the kind treatment to which you refer when you said that with the exception of the water cure the natives were treated with kindness?—A. The people were.

Q. I understand that. Do you regard it as kind treatment to burn their houses?—A. I regard it as necessary in a case like this.

Senator BEVERIDGE. You make a distinction between war and peace.

The Witness. Between a person and a person's property. In war we can not treat their person inhumanly, we can go on with their property.

By Senator CULBERSON:

Q. But you regard that as kind treatment?—A. All in all, yes, with the laws of war.

Q. I don't suppose you know that General Hughes testified to this committee that that character of warfare in his opinion was civilized?

Senator BEVERIDGE. I don't remember that myself.

Senator CULBERSON. It is in the record.

Senator BEVERIDGE (continuing). To ask the witness whether he thinks an opinion of General Hughes is wrong, I do not know. He is right.

Senator CULBERSON. I did not ask that.

Senator BEVERIDGE. The witness has testified that the burning of towns was in the course of war; that the American soldiers came upon from the towns, and that they burned the towns in course of war. He makes a distinction between that and the conduct of

Senator BEVERIDGE. But you said "women and children."

Senator CULBERSON. The witness has not answered whether he regarded the burning of these houses, inhabited by women and children as well as the men (I will put in for the benefit of the Senator from Indiana), as a part of the kind treatment to which he has referred; and instead of answering he shifts and says it was a necessity.

Senator BEVERIDGE. No; he does not shift; he says that is a part of war.

By Senator CULBERSON:

Q. I still desire to know if you regard the burning of dwelling houses inhabited by the people, among them the women and children, as part of the kindness to which you have referred?—A. I never regarded the dwelling houses as the property of the women and children. They were entitled to live there; but they harbored the people that were fighting us—these houses did. A man might go to one of those houses and fire through the window at our troops, and then by the time we got there we might find that he had put on an amigo suit—a white suit—and perhaps had dropped his gun through the floor or hid it somewhere; and if we burned the house in consequence of an action of that kind I would not consider it unkind toward the people in general.

Q. You think it is in accordance with the rules of enlightened civilization to burn the private houses of the noncombatants?—A. They did not prove themselves noncombatants.

Senator BEVERIDGE. Had you not better say that Colonel Wagner, the other day, in answer to your careful cross-examination on the rules of war, stated that where troops were fired upon from buildings it was within the rules of war, entirely within the rules of war, to burn those buildings?

Senator CULBERSON. He differs in that respect from General Grant, who, in his letter to General Sheridan, expressly stated that the private homes of people must not be disturbed.

Senator BEVERIDGE. When they were fired upon? You can not show such an order as that.

Senator CULBERSON. I have not made any such statement as you quote.

Senator BEVERIDGE. The witness has stated that they were fired upon.

Senator CULBERSON. The witness has not stated that they were fired upon from those houses.

Senator BEVERIDGE. They were, he said.

Senator CULBERSON. He said he saw two dead horses there the next day and that it is supposed that the insurgents from these barrios fired upon the soldiers.

Senator BEVERIDGE. And that is the reason they were burned.

Senator CULBERSON. And he also says that they were burned in order to intimidate the natives; he adds that.

Senator BEVERIDGE. That is within the rules of war as testified to by Colonel Wagner.

The WITNESS. These barrios were on one side of the horses, so to speak, and there was a railroad on this side, and woods, and the town of San Miguel on this side, a river, and more woods, and dry creek beds on this side, so the barrios covered one side.

By Senator CULBERSON:

Q. Was the rule, when they supposed a barrio or town had been used for concealing insurgents or to harbor insurgents, to burn the whole town and all the houses without reference to any particular house from which the insurgents may have fired?—A. The towns over there are not built on the American plan, and you can not discriminate one house from another; you do not know what house the fire may have been from. It was the practice to burn all the houses in the bunch in which they stood in a bunch.

Q. And let the women and children take care of themselves?—A. We did not bother about them that I know of.

Q. Did you ever see a concentration camp over there?—A. No, sir; they had none on the island that I was on.

(Witness excused.)

Thereupon, at 3 o'clock, the committee adjourned.

WASHINGTON, D. C., *Thursday, June 26, 1902.*

The committee met at 10.30 o'clock a. m.

Present: The chairman, and Senators Burrows, Dietrich, Carmack, and Patterson.

The chairman submitted the following to the committee:

WAR DEPARTMENT.
Washington, June 21, 1902.

Hon. HENRY C. LODGE,
*Chairman Committee on the Philippines,
United States Senate.*

SIR: The attention of the Department having been called to your remarks in the Senate of May 8 last in the matter of a statement purporting to have come from the Rev. W. H. Walker, of Lynn, Mass., that he had received letters from his son giving an account of an action in the province of Sorsogon, P. I., where 1,300 Filipinos were captured, 300 killed, and the remaining thousand stood up by open graves and shot, and published in Congressional Record, page 5523, a cablegram was sent to Major-General Chaffee, commanding the United States troops in the Philippines, inquiring what foundation, if any, there was for this story. To this inquiry General Chaffee has replied under date of cablegram received on the 16th instant, a copy of which is inclosed for your information and that of the Philippine Committee.

Very respectfully,

ELIHU ROOT,
Secretary of War.

WASHINGTON, *May 7, 1902.*

CHAFFEE, *Manila:*

Published letter Walker, Company I, Fifteenth Infantry, states large number native prisoners shot at Irosin, near Sorsogon; ordered by First Lieut. Frank S. Burr. Is there any foundation for story or what?

CORRIS.

[Extract of cablegram received at War Department June 16, 1902.]

MANILA.

ADJUTANT-GENERAL, *Washington*:

Referring to telegram from your office of the 7th ultimo, Lieut. Frank S. Burr reports, May 8, no foundation for published letter that large number prisoners shot Irosin, Sorsogon Province, by his order. Maj. Frank F. Eastman, inspector-general, Fourth Brigade, reports, June 9, upon investigation, alleged shooting prisoners Irosin, First Lieut. Frank S. Burr; that Walker testifies under oath he did not make statement alleged. Six noncommissioned officers and 12 privates, including Walker, at or near Irosin, during part of October and November, 1901, testify no prisoners shot at that or any other time. Records show that from October 7 to November 11, 1901, four companies of the Fifteenth Infantry, three detachments constabulary, and many people, commanded by Capt. Edmund Wittenmyer, joined in campaign over country south of Sorsogon Bay. Object to rid country of ladrones and Anting Anting fanatics; that during which period 26 were killed, about 350 prisoners captured. Of the killed, Lieutenant Burr's command effected 14 of the number, 7 in one ambush, 4 in another. Night of October 27 Lieutenant Burr, 2 soldiers, and 1 native police, guided by natives, marched from Irosin to Barrio, near San Roque, 12 miles. Three-thirty in the morning [were] surprised. Killed Balalog, leader of gang, and 2 others, wounding 4. Commanding officer Sorsogon, only 18 miles from Irosin, has not heard circumstance referred to your dispatch of May 8, and in my opinion the report is absolutely untrue.

CHAFFEE.

OFFICE EXECUTIVE SECRETARY
FOR THE PHILIPPINE ISLANDS.

Manila, May 7, 1902.

SIR: Referring to letters of the chief of the Philippines constabulary to the secretary of commerce and police and to the executive secretary, dated December 28, 1901, and February 1, 1902, respectively, copies of which were forwarded to Governor Taft at Washington, and as supplemental thereto, I have the honor to state that the army detachments have been withdrawn from the following-named points:

Ilocos Norte.—Bajeador light-house, Paoy, San Miguel, Batoc, Salsona, Vintar.
Cagayan.—Amulung, Camanalingan, Calveria, Gattaran, Lallo, Pamplona, Sanchez Mira, Solano, Baggao, Buguey, Enrile, Iguig, Linao, Piat, Santa Nina, Tumaguini.
Ilocos Sur.—Bantay, Lapo, San Emilio, Santiago, Cabayas, Navacan, Santa, Dinait.
Isabela.—Cabagan Nuevo, Malanu, San Isabela, San Luis, Urdaneta, Gamu, Reina Mercedes, San Jose, Santa Maria.
La Union.—Aringay, Bangar, Naguilian, Rosario, San Juan, Balaoang, Bagnotan, Namagpacan, San Gabriel, Santo Tomas.
Pangasinan.—Asingan, Humingan, Manaog, Pozzorubio, San Jacinto, Sual, Binalonan, Malasiqui, Mangatarem, San Carlos, San Miguel.
Zambales.—Agno, Tabangan, Castillejos, Infanta, San Antonio, San Fernando, San Marcelino, Alaminos, Candelaria, Eguia, Palanig, San Felipe, San Isidro, San Narciso.
Tarlac.—Capas, Moncada, Concepcion, Victoria.
Nueva Ecija.—Aliaga, Carranglan, Pantabangan, Cabiao, Quiapo.
Pampanga.—Bacolor, Macabebe, Mabalacat.
Bulacan.—Haganoy, Larilao, Polo, Santa Maria, Malolos, Meycauayan, Quingna.
Camarines.—Bao, Delapon, Iriga, Libmanan, Minalabag, Paracale, Pinamalayan, Dagnay, Tigaon, Bato, Goa, Lupi, Magarao, Pamplona, Pili, Sabang, San Fernando, Virac.

Albay.—Palanqui.

Sorsogon.—Butnag, Gate, San Bernardino, Bulusan, Irocin.

Iloilo.—Sâra, Colasi, Passi, Barotac Nuevo, Cabatuan, Jaro, Igbarâ, Aquir, Banate, Lambunao, Zarraga, Pavia, San Miguel, Miagao, Almod.

Capiz.—Ibajay, Batan, Tangalan.

Antique.—Pandan, Valderrama, Dao, Sebaste, Patnongon.

Oriental Negros.—Danao, San Carlos, Bayauan, Calatrava, Baia.

Occidental Negros.—Silay, Guilhungan.

Leyte.—Biliran.

Marinduque.—Cauit.

Surigao.—Butuan.

Misamis.—Manella, Aloran.

In the provinces of Bontoc, Benquet, and Romblon all have been withdrawn or ordered withdrawn, and the constabulary is unable to control the situation.

In the provinces of Lepanto, Rizal, Bataan, Masbate, Mindoro, and Surigao there were on April 30, 1902, two, eleven, one, one, and one garrisons, respectively, and it is believed that the soldiers have been withdrawn.

In the provinces of Cavite and Tayabas many stations have been evacuated by the military.

In respect of the remaining points now garrisoned by the military it is understood that orders have been issued for the abandonment of the following towns:

Ilocos Norte.—Currimao, Laoag Beach, Dingras.

Ilocos Sur.—Salomague, Santa Maria.

Isabela.—Angadanan, Cauayan, Carig, Cordon.

Pangasinan.—Bautista, Santa Maria, Magaldan, Rosales.

Zambales.—Bolinao, Masinloc.

Tarlac.—Gerona, Paniqui.

Nueva Ecija.—Bongabon, San Juan de Guimba, Penaranda.

Pampanga.—Arayat.

Bulacan.—Angat, Norzagaray, Calumpit.

Camarines.—Binipian, Indang, Nabua, Pasacologa, Calabonga, Mamburao, Ragay.

Albay.—Albay, Daraga, Camalig.

Sorsogon.—Bacon, Gubat.

Iloilo.—Pototan, Tigbauan, Santa Barbara, Maasin.

Capiz.—Calivo.

Antique.—Bugason.

Oriental Negros.—Valle Hermosa.

Occidental Negros.—Valladolid, Castellana, Cabancalan, La Carlota, Iloilo.

Leyte.—Carigara, Tanauan, Jaro.

Cebu.—Bogo, Danao, Naga, Oslob, Tuburan, Cadmon, Liloan, Argao, Cebu.

Masbate.—Masbate.

Marinduque.—Boac, Gasan, Santa Cruz de Napo.

Surigao.—Surigao.

Misamis.—Langaran, Jiminez, Cagayan, Oroquieta, Tudela.

Camarines.—Daet, San Jose, Nueva Caceres.

Albay.—Tabaco, Legaspi, Guinobatan.

Samarangin.—Donsol, Bulan, Sorogon, Matnog.

I have the honor to be, sir, very respectfully, your obedient servant,

A. W. FERGUSON.

Executive Secretary.

The CHIEF OF THE DIVISION OF INSULAR AFFAIRS,

War Department, Washington, D. C.

WAR DEPARTMENT,

Washington, June 11, 1902.

Hon. HENRY C. LODGE,

Chairman Committee on the Philippines,

United States Senate.

SIR: Having reference to Department letter of April 25, 1902, inclosing copies of petitions of natives in the Philippine Islands, asking the retention of United States officers and garrisons in the several localities, in which you were advised that others of a like character would be furnished at a later date. I have now the honor to send you herewith copies of such petitions as were received by the last mail.

Very respectfully,

WM. CARY SANGER,

Acting Secretary of War.

[Telegram.]

UNITED STATES SIGNAL CORPS,

San Jose de Lagonoy, April 10, 1902.

General CHAFFEE, *Manila:*

The commercial element, Filipinos, foreigners, Americans of this partido of Lagonoy, the American civil employees, and the property holders whose names appear below respectfully set forth and beseech your excellency as follows: That the departure of American forces from this partido of Lagonoy puts us beyond measure in peril of being victims of attempts on the part of the recalcitrant factions, for there is no doubt that as soon as they see that the troops have entirely abandoned this region they will take complete possession of it. This partido is in close proximity to Mount Isarog where since early times have taken refuge the revolutionary elements composed of lawless criminals. This partido is lacking in means of communication with the capital of the province, which makes it very difficult for troops to execute rapid and effective action upon it, because at the quickest a two days' journey over mountains is necessary; furthermore, without taking into account natural accidents, any enemy with very little food could delay the march of government troops with the result that when they arrived at their objective point they might discover that irreparable damage had been done; that the local police force of each one of these towns is not sufficient or competent to guarantee public order and protect our lives and property.

This is proved by the fact that after concentrating the troops in this town and withdrawing one detachment, the police have not been able to do away with assaults, robberies, and assassinations, and forced contributions committed in towns by gangs composed of the recalcitrant

element under political pretensions such as have happened at Sagnay, Goa, and Lagonoy; that this Partido is of special importance as Nueva Caceres and Legaspi, having large amounts of invested capital; besides the richness of the soil and the strategic position on account of its proximity to the Strait of San Bernadino and to the island of Catanduanes, all of which is sufficient inducement for those who are in possession of peace and established order, and on these accounts the abandonment of this Partido by American forces it is very probable that commerce will suffer to an important extent, and that peace and safety of property will not be assured; for this reason we respectfully beseech your excellency to concede to the detachment of American troops for the security and protection of this region and as a guaranty of our lives and property in order.

Very respectfully,

Tuchango Syboyco, Tuchanchan Thepintoe, Tinimise, Fichyco Fisunjun, Pilayea, C. Yininago, Yicongo Nycijco, Ynado Go Getiaoco, Gloangeo Gubico, Gobaoaco L. Binuancom, Sandenco Sintanco, Lanelio Dylaco Francisco, Goalnan Gepengio, Tongco, Goelmano Valentenga, Licintio Miguel Gobe, Capuaci Cabancion, Dvg Colunyer Cocoilng, Eocual Laitueno, Ny Tracali Vyganco, Ynatienango, Clyian Norbertaimda, Cualico, Gadol, Pemro Cutegengo, Deactiosdo, Francisco Rair Perez, Tarrabaser Wiquegueoaz, Vicuevi Juan Gomzaer, Ortunatola, Celestin Deinigo, Monasterio Guilleruo, Gozala Frank Williams, R. E. Walker, Fred Ro Santiago, Boseardino Tausmco, Syjac Diandco Ouglaneco, Joaquin Dypai Mariano Garchitoreno, Nyiaco, Nygoio Taun Chaoeo, Taun Tingeo, Tiuncays Sialasio Inciburto, Maguel Estela, Juan Biato Tora, Pitian, Rodriguer, Leon Arriso Gorosteago, Victor Gorrosleago, Yoc Taunminco, Tivnocono, Chambeus, Ant Felix Perez, Dyco, Teenoco, Juanil Cle Claennomyeh, Lochangeo, Artuio Garchuel Cuervo, Aincito Ariceo, Adolpo Jose Jorostiaga, Jappioco, Japetugua Ynpelioga, Ynpquian, Ynesesago, Syst Sycuiba, Syetiong, Sychangeo, Sycio, Sys Sysco, Tauneco, Niquiala, Nigongec Jutioco, Tienmaco, Juan Dieto, Nyganco, Soicpeico, Narcisa, Garchitore Taunpianco, Tiuntiangeo, Gatchao, Iapir Taunneo, Origbiangeo, Juan Claiano, D Ynaet, Lina Chayaf, Ynpbienco, Samuel Schrober, Arthur W. Barnes, Horace Parker P. Fillmore.

Received April 11, 1902, 4.35 p. m.

[Telegram.]

SURIGAO, *March 14, 1902.*Honorable COMMISSION, *Manila:*

Municipal council of Butuan asks that the removal of the detachment be suspended for political reasons, which are explained in an official communication.

MARIASCO.

 UMINGAN (PANGASINAN), *March 22, 1902.*

Honorable Señor CHAFFEE:

We undersigned, principales and citizens of the pueblo of Umingan, Province of Pangasinan, lay before your honor with respect and consideration, the following: That according to the resolutions addressed to you at the instance of the undersigned, dated 27th of January just past, this pueblo was left without a detachment of soldiers of the Regular Army of America; and by reason of the topographical situation of the pueblo it is certain that the deeds of the evil doers, who unfortunately pollute these mountains, will continue because this pueblo is situated almost at the foot of the range called the Sierra Madre, which mountains extend over all the province of Nueva Ecija and part of Bulacan, unless some military force is kept in this pueblo which will suppress the evil deeds of these people. Because, although the province is furnished with a force of insular police, this pueblo is not protected by this force because of the deficient armament furnished them by the government. Therefore, the undersigned have confidence in the justice and rectitude which mark your honorable treatment of a pueblo which shelters itself under the favor and protection of the American military force in which we repose the most absolute confidence.

We pray and beseech your honor that upon receipt of this letter you order that this pueblo be not abandoned by the military forces of the United States because, without it its life and interests will be endangered and tranquillity and well being will not be possible, and it will be necessary to search this tranquillity in other pueblos where there is an American force.

With this kindness and justice which we hope from your honor, whose long may God guard many years.

(Here follow the names of 38 signers.)

True translation.

R. H. VAN DEMAN,
*Captain, Twenty-first United States Infantry,
 In Charge of Military Information
 Division of the Philippines.*

[Telegram.]

UNITED STATES SIGNAL CORPS,
Iligan, Isabela, April 3, 1902.

Major-General CHAFFEE, *Manila.*

Re: With this date we say to the civil commission the following: On date March 29 the merchants of this town, and some important officials of the same, solicit from the provincial board ten authorizations

The signers are reputable business men of this city.

Major, Sixteenth Infantry,

SANTA CRUZ, A

The COMMANDING OFFICER,
Detachment of this town.

SIR: We, the undersigned, president and members of the council of this town, to you respectfully state that we wish that all the provinces of the archipelago that are pacified be garrisoned with American troops, as the towns to protect themselves against bad people.

We report this to you, as the people of the towns have the towns abandoned by the troops. Therefore the troops be left there.

Very respectfully, MARIANO R. PANIS (A)

Jorge de Rivera y Guillamun, municipal secretary of Aparri, province of Cagayan, certifies:

That in the book of proceedings of the sessions of the council of this city there is recorded an act which reads:

Proceedings of special session No. 9, office of the municipal president of Cagayan, March 9, 1902.

A special session of the municipal council presided over by Sr. Formosa y Nolasco was held on this date. It was made known that the object of the session was to determine the best method to be adopted to retain in this city the garrison that now occupies it, the president being aware that the North American troops were to be moved to the Ilocos, in which place a barrack is to be constructed for them. He stated that the stay in Aparri of the troops had been of advantage to the inhabitants and it was decided to represent to Colonel Hood, the commander of the troops, the feeling of regret on the part of the inhabitants which the coming of the troops had caused because of the mutual esteem which existed between the towns and soldiers, and the council requested of Colonel Hood that if possible the troops be permitted to remain.

GABRIEL
MUN
JORGE
MUN

(Under the seal of the municipality.)

[First Indorsement.]

HEADQUARTERS UNITED STATES FORCES
IN THE CAGAYAN PROVINCE
Aparri, Luzon, P. I., March 9, 1902.

Respectfully forwarded to the adjutant general Department of the Philippines, through military channels.

building of quarters for the Aparri troops is now about to begin. At a point some 9 miles above here, no suitable ground being available of there.

The relations of the citizens of this pueblo and vicinity with the troops have been from date of our arrival in December, 1899, of the kindest and cordial character, but it is not believed to be practicable to provide quarters indefinitely in Aparri, and as just stated, not further than point indicated, which fact we all very much regret.

CHAS. C. HOOD,
Colonel Sixteenth United States Infantry, Commanding.

[Telegram.]

UNITED STATES SIGNAL CORPS,
Legaspi, March 19, 1902.

Governor WRIGHT, *Manila:*

I am informed that greater porportion of Ninth Cavalry have been ordered out of this province. Kindly request of General Chaffee that so far as a portion of the Ninth Cavalry remains in the province that headquarters and Colonel Godfrey also remain. His work with civil government is most satisfactory and pleasant.

BETTA, *Governor.*

10 p. m.

INDAN, *March 18, 1902.*

The undersigned members of the council and representatives of the people, having met to-day in compliance with the preceding order issued by the presidente, convoking an extraordinary meeting of the council, with the object of discussing the verbal communication transmitted by the commanding officer through the American Lieutenant Doctor, the session was opened and after a long deliberation all the members unanimously declared that, owing to the present condition of this part of the province, it would be a great inconvenience if the detachment of troops at this town was removed, and they request, if the removal of the troops from this town is not of urgent necessity, that they be kept here, for the following reasons:

1st. Because a few of the insurgent officers pertaining to the district of Camarines Norte have not yet surrendered. Among them are Cayetano Segovia, Berbarido Cana, Felipe Marigan, and others, some of whom have deserted from the American forces.

2nd. Without doubt it would cause great consternation and intranquillity among the people that love peace and that are living like peaceful citizens, if the town was deprived of said detachment.

3rd. It is known that the native soldiers pertaining to the Philippine Scouts that deserted from Daet have joined Segovia's forces. They are very much feared, as they are the enemies of the people. The council is of the opinion that when said individuals are informed of the removal of the United States troops from this town, this band will come in and molest the people.

4th. Juan Yasis and his brother, Francisco Yasis, members of Segovia's band, on the 8th of the present month told the sergeant of the militia of this town, Pedro Balan Mariano Arcen and Macario Sarapa, that "things were not settled yet."

HEADQUARTERS FOURTH SEPARATE BRIGADE
DEPARTMENT OF NORTH PHILIPPINES
Nueva Caceres, P. I., March 1898

Respectfully forwarded to the adjutant, Division of the North
The only information at these headquarters as to desertions of
scouts is that one scout deserted, but took no arms. A letter has been
written to Commanding Officer Daet to ascertain if there have been
any desertions which have not been reported.

CONSTANT WILSON
Colonel Twenty-sixth Infantry, C. I.

General BELL,
Commanding Third Separate Brigade, United States Army

We, the undersigned, the municipal presidente, the council, and the
peace, and the other citizens of Majayjay, province of Zamboanga,
respectfully state:

That having had information (which notice we hope will reach you)
that the garrison of this place is to be stationed in another place,
love and loyalty moves us to state, without exceeding the truth,
truth, that from the day on which Captain Norman began to perform
his duties as commanding officer tranquillity has been maintained
throughout this jurisdiction, its moral and material progress has been
advanced, and it has been freed from bandits. His actions are
those of an intelligent and active officer, and he has been helpful to
those who request his assistance and protection. He has been
courteous in the discharge of his duties and has never given cause for complaint.

WAR DEPARTMENT,
Washington, D. C., June 17, 1902.

SIR: I have the honor to inclose herewith a copy of a letter from Hon. Luke E. Wright, acting civil governor of the Philippine Islands, to Maj. Gen. Adna R. Chaffee, U. S. A., dated December 31, 1901, inclosing a letter from the chief of the Philippines constabulary, dated December 28, 1901, together with copies of correspondence supplementary thereto of dates January 3, February 1, and May 7, 1902, in regard to the withdrawal of army detachments from various places in the Philippine Islands therein mentioned.

Very respectfully,

CLARENCE R. EDWARDS,
Chief of Division.

Hon. H. C. LODGE,
*Chairman of the Philippines Committee,
United States Senate.*

MANILA, P. I., December 31, 1901.

Maj. Gen. ADNA R. CHAFFEE, U. S. A.,
Commanding Division of the Philippines, Manila, P. I.

SIR: Referring to our recent conversation as to the ability of the insular constabulary to maintain peace and order in the provinces in which civil government has been established, and thereby in whole or in part to relieve the military authorities of that burden, I have the honor to state that I have requested Capt. Henry T. Allen, chief of the Philippines constabulary, to furnish me a written statement covering the subject. This statement has been submitted to-day and I herewith inclose a copy thereof.

I have taken up this matter with Captain Allen and his first assistant, Capt. D. J. Baker, jr., and have gone over the ground with them carefully. In addition I have reports from all provincial officials as to the situation in their respective provinces. From these and other reliable sources I am satisfied that Captain Allen's statement is extremely conservative, and I believe may be acted on with safety.

Should you see proper to withdraw troops from the points named him I beg to state that the civil authorities will assume the responsibility of preserving order. The suggestion which he makes that he should be notified shortly prior to the withdrawal of any troops, to end that constabulary may be substituted, is of course essential, for obvious reasons.

It is believed that with thorough cooperation between the military and civil authorities as to their respective movements in the provinces indicated, it is now feasible for you to carry out the policy outlined by you in General Orders, No. 179. It will afford me great pleasure, should it be agreeable to you, to discuss this matter personally in mail.

I have the honor to be, very respectfully,

LUKE E. WRIGHT,
Acting Civil Governor.

duce the necessary moral effect.

Ilocos Norte.—Bajaedor Light-house, Batoc, Currimaos, Dingras, La Salsona, San Miguel, and Vintar.

Cagayan.—Amulung, Baggaos, Camanalingan, Buguey, Calveriran, Iguig, Lallo, Linao, Pamplona, Piat, Sanchez, Mira, Santo Tomasini.

Abra.—No troops necessary.

Ilocos Sur.—Bantay, Cabagas, Lapo, Navacan, Salomague, San En Maria, Santiago, and Dinait.

Lepanto.—No troops necessary.

Bontoc.—No troops necessary.

Isabela.—Angadanan, Cabagan Nuevo, Carig, Canayan, Cordon Reina Mercedes, San Isabela, San Jose, San Luis, Santa Maria, and

Nueva Visayas.—No troops necessary.

Benquet.—No troops necessary.

La Union.—Aringay, Balacang, Bangar, Bagnotan, Nagnillan, Nario, San Gabriel, San Juan, and Santo Tomas.

Pangasinan.—Asingan, Bautista, Binalonan, Humingan, Malasiquitaren, Magaldan, Santa Maria, Pozorubio, Rosales, San Carlos, Manuel, and Sual.

Zambales.—Agno, Alaminos, Bolinao, Tabangan, Candelaria, C Infanta, Masinloc, Palauig, San Antonio, San Felipe, San Fernando, Marcelino, and San Narciso.

Tarlac.—Capas, Concepcion, Gerona, Mancada, Paniqui, and Vigan. *Nueva Ecija*.—Aliaga, Bongabon, Cabiao, Carranglan, Quiapo, Pampanga, and San Juan de Gulimba.

Principe.—No change.

Pampanga.—Arayat, Bacolor, Mabalacat, and Macabebe.

Bulacan.—Angat, Calumpit, Haganoy, Malolos, Maricao, Meycauayan, Polo, Quinga, and Santa Maria.

Rizal.—No troops necessary.

Bataan.—No troops necessary.

Ovite and Tuyabas.—No changes until the Batangas-Laguna campaign. *Camarines*.—Baco, Bato, Binipian, Calabonga, Delapou, Coa, In Libmanan, Magarrao, Mambulao, Minalabag, Nabua, Pamplona, Pasacologa, Pili, Pinamalayan, Ragay, Sabang, Dagnay, San Fernando, Virac.

Albay.—Albay, Camalig, Daraga, Palanqui.

Sorsogon.—Bacon, Butnag, Bulusan, Gata, Gubat, Irocon, and San

With regard to the rest of the archipelago, I will

Pangasinan.—San Fabian, Dagupan, Tayug, and Bayambang.

Zambales.—Dasol, Santa Cruz, Iba, and Subig.

Tarlac.—Camiling, Tarlac, and Bamban.

Nueva Ecija.—San Jose, Cabanatuan, and San Isidro.

Principe.—Baler.

Pampanga.—Angeles and San Fernando.

Bulacan.—San Miguel, Baliuag, and Bulacan.

Carite and Tayabas.—Stations would remain unchanged.

Camarines.—Daet, Nueva Caceres, and San Jose.

Albay.—Tobaco, Guinobatan, and Legaspi.

Sorsogon.—Donsol, Sorsogon, Bulan, and Matnog.

When troops are to be withdrawn, it is respectfully requested that these headquarters be informed at least ten days in advance, and further yet in advance if practicable.

Very respectfully,

HENRY T. ALLEN,
Chief Philippines Constabulary.

OFFICE OF THE CIVIL GOVERNOR
OF THE PHILIPPINE ISLANDS,
Manila, P. I., January 3, 1902.

Maj. Gen. ADNA R. CHAFFEE, U. S. A.,
Commanding Division of the Philippines, Manila, P. I.

SIR: Referring to my letter of the 31st ultimo, I have the honor to request that the fourth page of Major Allen's letter inclosed therewith be amended, under the province of Albay, to read "Tabaco, Guinobatan, and Legaspi," instead of "Liago, Guinobatan, and Legaspi."

I have the honor to be, very respectfully,

LUKE E. WRIGHT,
Acting Civil Governor.

HEADQUARTERS PHILIPPINES CONSTABULARY,
Manila, P. I., February 1, 1902.

The EXECUTIVE SECRETARY, *Manila, P. I.*

SIR: Continuing the subject referred to in my letter of December 18, 1901, relative to the withdrawal and concentration of United States forces, I have the honor to state that troops at the following posts in the islands other than Luzon (which was reported on in said letter) may be withdrawn by the end of March of the present year without prejudice to the maintenance of order:

In three provinces of the island of Panay, all posts except the capital of each one, namely, Iloilo, Capiz, and San Jose.

In the province of Oriental Negros the military may be concentrated at any time at Dumaguete, abandoning all other posts.

In the province of Occidental Negros the senior inspector reports that he must have 200 men to control this province if the military be concentrated at Bacolod.

In the province of Cebu all posts may be withdrawn except Cebu and Dumaguete.

In the province of Leyte I understand that the commanding officer of that brigade contemplates within a very short time the removal of all posts except Tacloban, Ormoc, and Maasin.

Barbara, San Miguel, Tigbauan, Igaras, Miagao, Tubu
dian, and Maasin.

In the province of Capiz: Ibajay, Tangalan, Calivo, and

In the province of Antique: Pandan, Sebaste, Bugason,
Patnongon, and Dao.

In the province of Oriental Negros: Danao, Calatrava,
Valle Hermosa, Bais, and Bayauan.

In the province of Occidental Negros: Silay, Valladolid,
Castellana, Isabela, Cabancalan, and Guilhungan.

In the province of Leyte: Caragara, Biliran, Jaro, and

In the province of Cebu: Bogo, Cadmon, Danao, L
Argao, Oslob, Balamban, and Tuburan.

In the province of Masbate: The town of Masbate.

In the province of Romblon: The town of Romblon,

In the province of Marinduque: Boac, Santa Cruz de
and Gasan.

In the province of Surigao: Surigao and Butuan.

In the province of Misamis: Langaran, Manella, Oroqui
Jimenez, Tudela, and Cagayan.

Very respectfully,

HENRY T. A
Chief Philippines Com

*Stations abandoned by the military in the First Separate Brigade, Depar
Philippines, since January 1, 1902.*

Pangasinan Province.—Sual, San Jacinto, Asingan, Malasiqui, Manga
San Manuel.

Abra Province.—Pidigan, San Quintin.

Union and Benguet Provinces.—Aringay, Naguilan, Santo Tomas, R
Road construction camp, Bagnotan, Balaoan, San Juan, Namacpacan,

Ilocos Norte Province.—Badoc, Salsona, Piddig, Batac, San Miguel.

Ilocos Sur Province.—Santa, Tagudin, Candon, Narvacan, Santiago.

Cagayan Valley.—Claveria, Bagabag, Sanchez Mira, Piat.

Stations ordered abandoned by the military, first district, Department of Nu

Abra Province.—Bangued.

Union Province.—Bahgar, Baguio.

Ilocos Sur Province.—Bangui.

Stations abandoned by the military in the Second Separate Brigade, Department of North Philippines, since January 1, 1902.

Zambales Province.—Cabangan, San Narciso.

Bulacan Province.—Polo.

Nueva Ecija Province.—Aliaga, Carranglan.

During the same time the only changes in the Third Separate Brigade were at Mendez Ninez, which was garrisoned January 6 and abandoned January 16.

HEADQUARTERS DEPARTMENT OF NORTH PHILIPPINES,
Manila, January 24, 1902.

ADJUTANT-GENERAL DIVISION PHILIPPINES, *Manila:*

Following stations in Fourth Brigade have been abandoned since the 1st of January: Magarao, January 2; Ligao and Polangui, January 3; Pandan, Island of Catanduanes will be abandoned about January 30, as soon as the launch *Sacramento* is available to move troops. San Fernando and Minalabaga, substations of Nueva Caceres, were abandoned December 21.

WHEATON,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT NORTH LUZON,
February 1.

ADJUTANT-GENERAL DIVISION, *Manila:*

Nainapacan has been abandoned as a station. It was formerly occupied as a station by Troop A, Third Cavalry. A detachment, consisting of a noncommissioned officer and five men, are still at Bangar guarding property.

WHEATON,
Major-General, Commanding.

HEADQUARTERS DEPARTMENT OF NORTH PHILIPPINES,
Manila, February 1, 1902.

ADJUTANT-GENERAL DIVISION OF THE PHILIPPINES,
Manila.

The station at Concepcion, Tarlac Province, has been abandoned.

WHEATON,
Major-General, Commanding.

Official copy respectfully furnished his excellency, William H. Taft, civil governor of the Philippine Islands, Washington, D. C.

A. W. FERGUSON,
Executive Secretary.

OFFICE OF THE EXECUTIVE SECRETARY FOR THE PHILIPPINE ISLANDS,
Manila, P. I., February 6, 1902.

WAR DEPARTMENT,
Washington, D. C., June 4, 1902.

SIR: By direction of the Secretary of War I have the honor to transmit herewith copy of letter from the collector of customs for the Philippine Archipelago, relative to the trade of those islands.

Very respectfully,

CHARLES E. MAGOON,
Acting Chief of Division.

HON. HENRY C. LODGE,
Chairman Committee on the Philippines, United States Senate.

OFFICE COLLECTOR OF CUSTOMS
FOR THE PHILIPPINE ARCHIPELAGO,
Manila, April 5, 1902.

Hon. LUKE E. WRIGHT,

Acting Civil Governor of the Philippine Islands, Manila.

SIR: Referring to my indorsement of even date upon extract copy of a cablegram from Governor Wm. H. Taft, dated Washington, March 2, 1902, I have the honor to submit the following report in compliance with the instructions of the acting civil governor of these islands.

The extract from Governor Taft's message reads:

Advise forwarding immediately petitions and expert comparative statements concerning effect of 25 per cent and 75 per cent reductions on different products.

After careful investigation and comparison of the statistics involved the following comments are offered:

Manila hemp.—This is the principal article of export from these islands. During the year 1900 a little more than twice as much hemp went to England as to the United States. During the year 1901 England received nearly three times the quantity exported to the United States. It is true that much of the hemp which is exported eventually reaches the United States, and practically all of it going to England goes in English vessels. As Manila hemp is admitted free of duty in the United States, no reduction in the Dingley tariff rates could directly affect it. If, however, a duty was imposed upon Manila hemp, except when imported directly from the Philippine Islands, with perhaps the subsequent condition that it be imported in American-built bottoms, it would materially tend to increase direct traffic with the United States and diminish the sales of hemp to English firms and reselling of the same to American consumers.

The value of the hemp exports from the Philippine Islands is three times as great as the aggregate value of the five other principal exports, to wit, tobacco (unmanufactured), cigars, and cigarettes, sugar, copra, and indigo. In tonnage the excess of hemp is still greater, so that it is the freight item having most important bearing on direct transportation lines between these islands and the United States.

Unmanufactured tobacco.—The bulk of the unmanufactured tobacco goes to Spain, the United States receiving practically none. The distance between these islands and the United States and the proximity of Cuba to the latter country are features which oppose a change for the better, and these facts, taken in connection with the numerous free entry ports within easy reach of the Philippines, make it doubtful whether anything but absolute free admission or an extremely low rate of duty (say not more than 20 per cent of the Dingley rate) would divert any considerable amount of the exports of Philippine unmanufactured tobacco to the United States.

Cigars and cigarettes.—Hongkong and England are the principal importers of Philippine cigars and cigarettes, they receiving more than half of the entire output. The value of the cigarette exports is comparatively small, being less than 1 per cent of the total value of the two articles exported.

The United States receives an inconsiderable amount of these articles, 1,376 M in 1900 and only 72 M in 1901. With a very low rate of duty on Philippine cigars it is probable that a fair proportion of the output here would go to the United States, especially if direct transportation

is established with the ensuing cheaper freight charges. Certain brands of Philippine cigars are quite as good as the best Cuban article, and would doubtless become very popular in the United States.

Sugar.—Of the exports of raw sugar Hongkong and Japan receive the bulk, the United States and England standing next.

The sugar usually exported from these islands is of the following grades:

Iloilo ~~assorted~~ raw sugar No. 1, of 87 test, dutiable in the United States at 1.370 per pound. About one-eighth of exports from Iloilo ~~assorted~~ is of this grade.

Iloilo ~~assorted~~ No. 2 raw sugar, of 84 test, dutiable in the United States at 1.265 per pound. This grade comprises about one-eighth of the Iloilo exports.

Iloilo raw sugar No. 3, of 80 test, dutiable in the United States at 1.125 per pound. This grade comprises about five-eighths of the Iloilo exports.

Manila raw sugar is exported in two grades: Manila superior No. 7, of 85 test, dutiable in the United States at 1.3 per pound, and Manila extra superior No. 9, of 86 test, dutiable in the United States at 1.335 per pound.

It is doubtful whether anything but the entire removal of duties in the United States would divert any considerable amount of the Philippine sugar exports to the United States, due to the fact that nearer markets in free ports are to be found for all the present output.

Copra.—Three-fourths of the entire copra output went to France in the year 1900 and two-thirds in the year 1901. The United States received practically none.

As copra enters the United States free of duty at present, the only means of diverting that trade to the United States would be the establishment there of new industries and manufactories for extracting and treating the oil.

Indigo.—So little indigo has been exported in the last few years that no serious consideration need be paid thereto.

Coffee raising offers some possibilities, the exports of that article for the year 1900 amounting to 28,725 pounds, valued at \$2,994, and for the year 1901 to 68,228 pounds, valued at \$5,437. Most of this went to Hongkong.

The present status of the different export trades of the Philippines can not be taken as a uniform guide for their future development. Many circumstances now combine to fetter trade between these islands and the United States. Chief among these is the fact that nearly all that trade is necessarily (up to the present) carried on in foreign bottoms—principally British. England and other foreign countries have been so long engaged in catering to the trade of the Orient that there has been no great inducement to the establishment of direct American lines between the United States and the Philippines or other Eastern countries. The influence of all foreign transportation companies which have been established has naturally been exerted in fostering trade with such countries as England, Spain, Germany, and France, and this fact, coupled with the one that almost the entire trade of this archipelago has been for years in the hands of a comparatively few foreigners, who have grown rich and powerful in it, makes the entrance of American interests somewhat slower.

Not only are most of the vessels engaged in the foreign trade with these islands foreign bottoms, but the great majority of the larger steamers in the Philippine coastwise trade are equally so. Though sailing under the flag and protection of the United States, they are nevertheless built in foreign yards, owned by foreign and commercially hostile capital, and for the great part officered and manned by for-

eigners, all of which influences are used to divert trade from the United States.

The greatest hope of promoting trade between these islands and the United States lies in the prompt establishment of direct, American-controlled, transportation lines and the opening up of this archipelago to the investment of American capital.

Some beneficial results will undoubtedly follow the provisions of the act of Congress of March 8, 1902, reducing the Dingley rates by 25 per cent on Philippine products entering the United States, but to obtain a decided and material effect the reduction should not be less than 50 per cent on Philippine products in general, not less than 80 per cent on unmanufactured tobacco, and 75 per cent on cigars and cigarettes, with an immediate general proviso that all Philippine products, in order to obtain the above discriminating rates, should be shipped direct, that is, in the same bottom, and later on, that they should be shipped in American-built bottoms.

The rapidly approaching end of the insurrection gives hope of an early return on the part of the natives to the productive agricultural pursuits for which these islands offer unusual natural advantages. The complete restoration of peace throughout the archipelago will be immediately succeeded by a substantial increase in the output of hemp, tobacco, sugar, copra, coffee, and other articles produced in the Philippines.

Very respectfully,

W. MORGAN SHUSTER,
Collector of Customs for the Philippine Archipelago.

Statistical table of principal exports from the Philippine Islands during the years 1900 and 1901.

1900.

Country.	Hemp.		Tobacco	
	Tons.	Value.	Pounds.	Value.
Austria-Hungary			4,643,651	\$220.42
Australia	2,631	\$408,856		
East Indies, British	1,368	206,241	234,084	6.16
France	109	14,500	362,624	11.28
Hongkong	12,823	1,892,598	7,761	2.00
Japan	1,217	220,957	75	0.00
Spain	544	116,254	15,491,756	62.74
England	46,887	7,129,809	740,837	21.00
United States	20,411	2,796,163	110	
Germany	59	8,728		
Egypt	3,106	412,830	77,571	1.00
All others	753	110,441	83,356	1.00
Grand total	89,908	13,304,374	22,331,535	112.22

1901.

Austria-Hungary			2,457,599	\$9.00
Australia	1,868	\$213,218	13,919	0.00
East Indies, British	860	121,340	64,066	2.00
France	168	18,400	2,921	0.00
Hongkong	6,171	767,502	17,983	1.00
Japan	1,769	215,784	125	0.00
Spain	81	17,040	14,579,225	40.00
England	75,442	9,492,402	183,946	0.00
United States	28,659	3,938,659		
Germany	184	25,021	30,621	0.00
Egypt				
All others	39	8,243	838,06	0.00
Grand total	115,221	14,817,409	15,179,083	70.00

AFFAIRS IN THE PHILIPPINE ISLANDS.

2923

Statistical table of principal exports from the Philippine Islands, etc.—Continued.

1900.

Countries.	Cigars.		Cigarettes.	
	Thou- sand.	Value.	Thousand.	Value.
Austria-Hungary	1,345	\$12,118		
Australia	26,796	203,197		
East India, British	17,847	132,434	237	\$129
France	7,026	40,670		378
Hongkong	44,687	349,957	1,657	3,686
Japan	899	14,461	534	192
Spain	5,234	28,965		
England	35,515	201,464	80	165
United States	1,376	5,662		
Germany	8,467	65,324		
Egypt	821	4,054		
All others	22,696	110,368	271	1,425
Grand total	172,641	1,156,574	2,749	6,952

1901.

Austria-Hungary	631	\$10,165		
Australia	22,687	304,317	10	811
East India, British	19,240	146,664	928	1,075
France	4,636	27,474		
Hongkong	45,928	361,363	1,669	4,512
Japan	2,700	25,828	65	45
Spain	291	2,116	131	112
England	99,775	567,252	342	299
United States	72	808	47	76
Germany	5,699	37,569	4,418	5,549
Egypt	25	170		
All others	34,302	275,852	697	882
Grand total	234,341	1,881,928	5,291	12,563

1900.

Country.	Sugar.		Coffee.	
	Pounds.	Value.	Pounds.	Value.
Hongkong	90,068,265	\$1,697,790	20,817	\$1,777
Japan	54,648,123	1,022,114		
England	19,571,701	287,135	2,171	377
United States	29,080,614	567,706	146	25
Egypt	5,211,681	127,560		
All others	1,217,536	23,282	5,661	715
Grand total	202,765,940	3,486,627	28,795	2,904

1901.

East India, British			34,661	\$7,620
France			207	27
Hongkong	22,690,543	\$428,967	24,096	1,921
Japan	30,082,624	628,686	1,589	140
Spain	156	89	2,094	236
England			827	140
United States	11,931,216	268,264	1,832	235
All others			10,920	902
Grand total	64,294,680	1,346,711	46,229	3,437

Statistical table of principal exports from the Philippine Islands, etc.—Continued.

1900.

Country.	Copra.		Indigo.	
	Pounds.	Value.	Pounds.	Value.
Austria-Hungary	1,347,570	\$81,765	.....	.....
East Indies, British	687,073	12,993	.....	.....
France	106,999,705	2,364,736	.....	.....
Hongkong	410,244	5,574	.....	.....
Japan	101	50	.....	.....
Spain	22,972,791	430,428	.....	.....
England	5,043,631	103,950	.....	.....
United States	227,689	4,450	.....	.....
Germany	22,545	480	.....	.....
Egypt	2,226,400	45,696	.....	.....
All others	66,315	13,263	.....	.....
Grand total	139,995,064	3,113,385	.....	.....

1901.

Australia	1,113	\$24	.....	.....
East Indies, British	358,333	9,089	.....	.....
France	47,533,421	1,042,275	.....	.....
Hongkong	147,754	537	.....	.....
Japan	2,226,400	45,000	11,573	\$2.16
Spain	15,862,705	340,452	.....	.....
England	741,026	36,838	.....	.....
Germany	208,386	4,882	.....	.....
All others	877,827	7,384	.....	.....
Grand total	67,955,955	1,486,481	11,573	2.16

WAR DEPARTMENT.
Washington, June 6, 1902.

DEAR SIR: I have the honor to transmit herewith, for the information of your committee, a copy of the instructions under which Governor Taft is now acting at Rome.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. H. C. LODGE,
Chairman Committee on the Philippines,
United States Senate.

MAY 9, 1902.

SIR: It is now apparent that Congress will not have acted upon the Philippine Commission's recommendations regarding the purchase of friars' lands before the time of your departure for Manila, which will not be longer delayed. You can not, therefore, as we had hoped, receive definite instructions, and proceed to take such steps, in the execution of specific authority from Congress, as should properly be taken before your return to Manila. The committees of both Houses have, however, reported favorably upon the Commission's recommendations, and it appears probable that Congress will confirm their action. In view, therefore, of the critical situation of this subject in the Philippines, and of the apparent impossibility of disposing of the matter there by negotiation with the friars themselves, the President does not feel at liberty to lose the opportunity for effective action afforded by your presence in the West. He wishes you to take the subject up tentatively with the ecclesiastical superiors who must be

mately determine the friars' course of conduct, and endeavor to reach at least a basis of negotiation along lines which will be satisfactory to them and to the Philippine government, accompanied by a full understanding on both sides of the facts and of the views and purposes of the parties to the negotiation, so that when Congress shall have acted the business may proceed to a conclusion without delay.

You are accordingly authorized, in the course of your return journey to Manila, to visit Rome, and there ascertain what church authorities have the power to negotiate for and determine upon a sale of the lands of the religious orders in the Philippine Islands, and if you find, as we are informed, that the officers of the Church at Rome have such power and authority you will endeavor to attain the results above indicated. Any negotiations which you may enter upon are always subject to granting of power by Congress to follow the negotiations by binding action. In any conferences and negotiations you will bear in mind the following propositions, which are deemed to be fundamental, and which should be fully and frankly stated to the other side in the negotiations:

(1) One of the controlling principles of our Government is the complete separation of church and state, with the entire freedom of each from any control or interference by the other. This principle is imperative wherever American jurisdiction extends, and no modification or shading thereof can be a subject of discussion.

(2) It is necessary now to deal with the results of establishing a government controlled by this principle in the Philippine Islands, which have for centuries been governed under an entirely different system, with church and state closely united and having functions of the one exercised by agents of the other; where the church has long controlled and acted virtually as the agent of the state in the field of public instruction and public charities, and has from time to time acquired large properties held by it, or by its subordinate corporations or officers, for these public uses. A novel situation has been created, under which the adjustment of means to ends appropriate to the former system entirely fails to produce the intended result under the new system, and the separation of church and state requires to be followed by a readjustment and rearrangement in the interests both of church and of state, and for the attainment of the great ends of civil government, of education, of charity, and of religion.

(3) By reason of the separation the religious orders can no longer perform in behalf of the state the duties in relation to public instruction and public charities formerly resting upon them, and the power which they formerly exercised, through their relations to the civil government, being now withdrawn, they find themselves the objects of such hostility on the part of their tenantry against them as landlords, and on the part of the people of the parishes against them as representatives of the former government, that they are no longer capable of serving any useful purposes for the church. No rents can be collected from the populous communities occupying their lands, unless it be by the intervention of the civil government with armed force. Speaking generally, for several years past the friars formerly installed over the parishes have been unable to remain at their posts, and are collected in Manila, with the vain hope of returning. They will not be voluntarily accepted again by the people, and can not be restored to their positions except by forcible intervention on the part

(5) It is not, however, deemed to be for the interests of the Philippine Islands that in thus transforming wharves and unproductive tracts of land into money capable of productive investment a fund should thereby be created to be used for the attempt to transfer the friars to the parishes from which they are now expelled with the consequent disturbance of law and order.

(6) The titles to the great amount of church lands and other lands on the islands, other than those of the religious orders, and lands presently owned by the State should be settled fairly.

(7) Provision should be made for ascertaining what rent should be paid for conventos and other church buildings which have been occupied by United States troops during the insurrection, and being of course subject to further specific action by Congress.

(8) The rights and obligations remaining under the various trusts for education and charity which are now in doubt and controversy ought to be settled by agreement if possible rather than by slow and frequently disastrous processes of litigation, so that the beneficent purposes of these foundations may not fail.

(9) Your errand will not be in any sense or degree diplomatic in nature, but will be purely a business matter of negotiation with the governor of the Philippines for the purchase of property from the owners thereof, and the settlement of land titles, in such a manner as to contribute to the best interests of the people of the islands.

Any assistance which you may desire, whether on the part of the officers of the civil government or of military officers, to enable you to perform the duties above described in a manner satisfactory to yourself will be afforded; but the business is left entirely in your hands, subject to such action as may be taken pursuant to law and to the report.

Very respectfully,

ELIHU ROOT,
Secretary.

our relations with the Filipinos in those days, in the beginning. committee would be very glad to have you make any statement care to make in your own way.

Admiral DEWEY. I think it would be more satisfactory if the committee would ask me exactly what questions they like, because it would be rather long narrative, which I have already reported upon—that is, the early operations.

Chairman. When did you first hear from Aguinaldo and his friends?

Admiral DEWEY. I should think about a month before leaving Hongkong; that is, about the 1st of April, when it became pretty certain there was to be war with Spain. I heard that there were a number of Filipinos in the city of Hongkong who were anxious to accompany my squadron to Manila in case we went over. I saw these men two or three times myself. They seemed to be all very young, earnest. I did not attach much importance to what they said or to themselves. Finally, the day before we left Mirs Bay for Hongkong I received a telegram from Consul-General Pratt at Singapore saying Aguinaldo was there and was very anxious to see me. I said to him, "All right; tell him to come on;" but I attached so little importance to Aguinaldo that I did not wait for him. He did not arrive, and sailed from Mirs Bay without any of the Filipinos, although I told the young men they could go if they wanted to. They did not go. I began to believe that there were a large number of Filipinos in arms in and about Manila, and our consul, Williams, had said: "Your first gun there will be 30,000 Filipinos rise." I joked him about it afterwards. I said: "Why don't they rise? I don't see anybody rising." As a matter of fact there was not a Filipino in arms the day I reached Manila.

I would like to say here that the governor-general of Manila virtually surrendered to me on the 1st day of May. During the engagement between the two squadrons they fired a number of rifle shots from batteries in front of the city at my squadron, and as soon as the Spaniards were sunk I took the squadron in front of the city. I sent word to the governor-general that if he fired another shot at my ships I would destroy the town. He replied in writing that he did not fire if I did not. I anchored my ships in front of the city in easy range, and lay there twenty-four hours. That is not generally known. The city of Manila virtually surrendered to my squadron the 1st of May. If we had had 5,000 troops to have occupied the city that day we would have had no war; it would have been the end of it. I lay there twenty-four hours and then withdrew back to Cavite, afraid that some one might fire and I would have to keep my word. By the first steamer I sent over I received a letter from Consul-General Wildman at Hongkong saying that Aguinaldo was there, and a number of others, and they were very anxious to come over. So the next trip of the *McCulloch*, my steamer (there was no other communication with Hongkong except my vessel), I told the officer that he was to bring over that he might bring over about a dozen, still having no arms in them.

Senator BURROWS. Would it trouble you to explain a little more fully that the governor-general virtually surrendered to you. What that surrender consist of?

Admiral DEWEY. He said, "I won't fire if you don't;" and I ordered my ships under his guns, within easy range, within less than

of a few hours and said, "I want to leave here, I want to go." I said, "Don't give it up, Don Emilio." I wanted his help. I said "Don't give it up." He did not sleep ashore but slept on board the ship. The next morning he went inside my lines, and began recruiting men, and after that he went ashore to see him and said to him, "You had better stay inside my lines. There is our enemy up there at Manila, and it is better for you and better for me if we work independently your way and I will go mine." He then went into the arsenal and began recruiting troops. We found in the arsenal some cannon which I had no use for. I gave him those. I told him not to take any of the cannon at the arsenal. I gave him some ammunition that we captured. We had a common course I wanted his help. Then when I heard our troops were coming I asked him to withdraw his troops from Cavite to make room for our men. He demurred at this, but finally withdrew and established his quarters across the bay at a place called Bacoor, from which on the 15th of July he sent me a proclamation declaring the independence of the Philippines.

The CHAIRMAN. Was that the first?

Admiral DEWEY. That was the first intimation; the first I heard of independence of the Philippines.

The CHAIRMAN. He had said something to you——

Admiral DEWEY. Not a word. He had done what I told him to do; he was most obedient; whatever I told him to do he did. I did not attach so little importance to this proclamation that I did not forward its contents to Washington, but forwarded it through the regular channels. I never dreamed that they wanted independence. The operations toward Manila, and he did wonderfully well. He fought the Spaniards battle after battle, and finally put one of our smooth-bore guns on a barge, and he wanted to take this barge to me to tow it up so he could attack the city with it. I said, "No; we can do nothing until our troops come." I knew we could not take the city without the assistance of the navy, without the assistance of the army, and I knew that what he was doing—driving the Spaniards out—was saving our own troops, because our own men perhaps would have had to do that same thing. He and I were always on the same terms; we had never had any differences. He considered me a liberator, as his friend. I think he had the highest admiration for me because we had whipped the Spaniards who had been ruling the Philippines for three hundred years.

The CHAIRMAN. Did you at any time, Admiral, recognize his government or his independence?

Admiral DEWEY. Oh, never. I have seen it stated in print that I saluted his flag. Of course, I never saluted it. The German admiral came to me and said, "These Filipino tugs that are running about here have hoisted the Filipino flag; are you going to permit it?" I said, "It is not a flag; they have no government; no government has recognized them; they have a little bit of bunting that anybody could hoist." I said, "That is not a Filipino flag." Well, that was the end of that. We know that any yacht, any vessel, any steamer, can hoist a bit of bunting, and they called this a Filipino flag, but I did not.

The CHAIRMAN. You, of course, never saluted the flag?

Admiral DEWEY. Certainly not; and I do not think I ever called Aguinaldo anything but Don Emilio; I don't think I ever called him "general."

The CHAIRMAN. And when he came on board ship was he received with any special honors at the side?

Admiral DEWEY. Never.

The CHAIRMAN. You remember the question of your recognizing his republic was a good deal discussed and you wrote me a letter, which I read in the Senate. Of course, I am only asking now about what you said in the letter. There was no recognition of the republic?

Admiral DEWEY. Never. I did not think I had any authority to do it and it never occurred to me to do it. There was a sort of a reign of terror; there was no government. These people had got power for the first time in their lives and they were riding roughshod over the community. The acts of cruelty which were brought to my notice were hardly credible. I sent word to Aguinaldo that he must treat his prisoners kindly, and he said he would.

The CHAIRMAN. What, in your opinion, Admiral, would have been the effect of having allowed them to enter Manila when our troops did? They were not allowed to?

Admiral DEWEY. That would be only an opinion. As you know, soldiers are generally given to looting.

The CHAIRMAN. However, they were not permitted to enter the city?

Admiral DEWEY. No; they were not permitted by General Merritt and our troops; they were not permitted to enter. The Spanish authorities were very fearful about that. They surrendered the city to me. It was all arranged and we need not have lost a man there. The governor-general arranged with me that I was to go up and fire a few shots and then I was to make the signal, "Do you surrender?" and he would hoist the white flag and then the troops would march in; but he was fearful that the Filipinos would get in.

Senator BURNOWS. Who was that arrangement with?

Admiral DEWEY. The governor-general who commanded. I said, "If you are going to surrender, why must I fire any shots?" He said his honor demanded that. So I had to fire, to kill a few people.

Senator BURNOWS. To preserve his honor?

Admiral DEWEY. Yes. I said to his messenger, "Now make him understand that he must keep his word, because if he fires one shot I will burn that city." They did not fire a shot; although they had probably 15,000 troops in the city and 47 rifled guns on the city front. They did not fire a shot at my squadron. I am glad for an opportunity.

they captured arms.

The CHAIRMAN. And there were 15,000 Spanish troops.
Admiral DEWEY. Yes, probably that number.

The CHAIRMAN. Would they have fought if the Filipinos
to come in alone; would those 15,000 Spanish troops have fought

Admiral DEWEY. They were pretty badly demoralized
the navy controlled the situation there; we had cut off the
Communication in the Philippines is principally by sea
commanded that, controlling the situation, and they had
ing in. They surrendered on August 13, and they had
thing in after the 1st of May. They were short of pro
supplies of all kinds and were pretty well demoralized. They
to surrender, and were very anxious to surrender to the

Senator BURBOWS. The Spaniards?

Admiral DEWEY. Yes.

The CHAIRMAN. How long were you there after that. Ad
the surrender of the city?

Admiral DEWEY. I was there all winter, and until the
June.

The CHAIRMAN. You were there when the city was taken?

Admiral DEWEY. Yes.

The CHAIRMAN. Were you surprised at that attack?

Admiral DEWEY. No. We had heard there had been the
been in the air for a long time, and every now and then
hear rumors that there was going to be a rising in the
there was going to be an attack. Of course I was in con
with General Otis and had my ships located so we could
ance in the event of such attack.

The CHAIRMAN. You did take part in the engagement with

Admiral DEWEY. Oh, yes; we protected the two flanks
and rendered great assistance—the two flanks where they
to the water on each side of the city.

Senator PATTERSON. The first information that you re
cially of Aguinaldo was about the 27th of April, was it?

Admiral DEWEY. I should think so; it was a telegram.

Senator PATTERSON. From Pratt?

Admiral DEWEY. From Pratt.

Senator PATTERSON. And he was the consul-general at

Admiral DEWEY. Yes.

Senator PATTERSON. This is a dispatch. Please see if you
it: "Aguinaldo, the insurgent leader here."—I will say to

plying the pronouns and conjunctions because they are omitted evidently in your telegraphic cables—"will come to Hongkong to arrange with the Commodore for general cooperation of insurgents at Manila if desired. Telegraph."

That was the first communication you had received from any American official upon the subject of Aguinaldo?

Admiral DEWEY. I am not prepared to say that. Mr. Wildman in conversation may have said something about Aguinaldo; I don't remember.

Senator PATTERSON. This is among the first?

Admiral DEWEY. Among the first, yes.

Senator PATTERSON. And your reply to that was: "Tell Aguinaldo to come as soon as possible."

Admiral DEWEY. Yes.

Senator PATTERSON. Did you receive any other communication from Consul-General Pratt about that time with reference to Aguinaldo and his purposes in desiring to meet you, and in cooperating with the Americans in the Philippine Islands?

Admiral DEWEY. No.

Senator PATTERSON. Did you receive any communication from Mr. Pratt in which he stated what it was that Aguinaldo desired?

Admiral DEWEY. I should say not. Of course this happened four years ago, and I remember Mr. Pratt wrote me a good many letters. I had a great deal on my mind; but if by that you mean to bring out that I in any way knew that Aguinaldo was to cooperate with me for the independence of the Filipinos I never received any letter of that kind. I don't remember when I first did hear from Pratt. He wrote me a number of letters, I remember.

Senator CARMACK. Admiral, did you see a publication in the Singapore Free Press about that time giving an account of the conference between Consul-General Pratt and Aguinaldo?

Admiral DEWEY. I have seen it; I don't remember when—written by a Mr. Bray?

Senator CARMACK. I don't remember.

The CHAIRMAN. Howard Bray.

Admiral DEWEY. Howard Bray; a very unreliable person.

Senator CARMACK. That statement, however, was transmitted by Consul-General Pratt himself to the State Department with a statement that it was substantially correct.

Admiral DEWEY. I don't know that.

Senator PATTERSON. Did considerable correspondence pass between you and Pratt?

Admiral DEWEY. After I reached Manila, I should say yes. I think I had a number of letters from him.

Senator PATTERSON. Were not Pratt's letters quite enthusiastic about Aguinaldo and his aims and purposes?

Admiral DEWEY. I don't think so.

Senator PATTERSON. Was there any communication between you and Pratt in which the matter of a written pledge or agreement with Aguinaldo was discussed with reference to the Philippine Islands?

Admiral DEWEY. No.

Senator PATTERSON. What became of the correspondence, Admiral, if you know?

Admiral DEWEY. It is all in the Navy Department. When I turned

over my command my official correspondence was all sent to the Navy Department.

Senator PATTERSON. You retained all of your letters from any United States officials?

Admiral DEWEY. No; they went to the Department.

Senator PATTERSON. I mean you did not destroy them.

Admiral DEWEY. No; I did not destroy them.

Senator PATTERSON. And you turned them over to the Navy Department?

Admiral DEWEY. Yes; our regulations require that. I may say that for my own information I kept copies of certain telegrams and cablegrams. I don't think I kept copies of Mr. Pratt's letters, as I did not consider them of much value. He seemed to be a sort of busybody there and interfering in other people's business and I don't think his letters impressed me.

Senator PATTERSON. He was the consul-general?

Admiral DEWEY. Yes; but he had nothing to do with the attack on Manila, you know.

Senator PATTERSON. I understand that.

Admiral DEWEY. I received lots of advice, you understand, from many irresponsible people.

Senator PATTERSON. But Pratt was the consul-general of the Government there?

Admiral DEWEY. Yes; he was consul-general.

Senator PATTERSON. And he communicated with you, giving you such information as he thought you might be interested in, and among other information he gave you was this concerning Aguinaldo?

Admiral DEWEY. I don't remember; no, I really don't remember his telling me anything about Aguinaldo more than that cablegram to me, and I said he might come. And you see how much importance I attached to him; I did not wait for him.

Senator PATTERSON. What you said was: "Tell Aguinaldo to come as soon as possible."

Admiral DEWEY. Yes; but I did not wait a moment for him.

Senator PATTERSON. Yes; but there was a reason for that.

Admiral DEWEY. I think more to get rid of him than anything else.

Senator CARMACK. Rid of whom?

Admiral DEWEY. Of Aguinaldo and the Filipinos. They were bothering me. I was very busy getting my squadron ready for battle, and these little men were coming on board my ship at Hongkong and taking a good deal of my time, and I did not attach the slightest importance to anything that they could do, and they did nothing; that is, none of them went with me when I went to Mirs Bay. There has been a good deal of talk, but when the time came they did not go. One of them didn't go because he didn't have any toothbrush.

Senator BURROWS. Did he give that as a reason?

Admiral DEWEY. Yes; he said, "I have no toothbrush."

Senator PATTERSON. The question I was asking you was with relation to the reason for your leaving Hongkong at the time you did; it was not simply because there were some young Filipino people talking to you on the subject of the Philippines; was there not a more important reason than that?

Admiral DEWEY. That I left?

Senator PATTERSON. Yes.

Admiral DEWEY. Yes.

Senator PATTERSON. Did any controversies or interviews you had with Filipinos have any effect upon your leaving Hongkong at the time you did?

Admiral DEWEY. Not the slightest.

Senator CARMACK. You did not mean a while ago that you left at the time you did to get rid of Aguinaldo?

Admiral DEWEY. No; not of him alone, but of the Filipinos generally. They bothered me. They used to come aboard my ship and take my time, and finally I would not see them at all, but turned them over to my staff.

Senator PATTERSON. You left on account of notice that was served on you by the British admiral?

Admiral DEWEY. I left Hongkong because of notice from the governor, but left Mirs Bay of my own volition.

Senator PATTERSON. How far is Mirs Bay from Hongkong?

Admiral DEWEY. Twelve or 15 miles. It is in Chinese territory. I had to get out of British territory. I left Mirs Bay the moment that our consul at Manila arrived. He was on his way over with information—the latest information. I waited for him. He came aboard, and, like a brave man, went back with us to Manila—took his life in his hands and went back. He gave me the very latest information.

Senator PATTERSON. When you left Mirs Bay, you left because you were ready to go and you had a mission to perform?

Admiral DEWEY. Yes.

Senator PATTERSON. Aguinaldo or any of the Filipinos had no influence whatsoever on that action?

Admiral DEWEY. No.

Senator PATTERSON. Then came the battle; and how did it come that Aguinaldo came to the bay?

Admiral DEWEY. I stated a little while ago that Consul-General Wildman at Hongkong wrote me that Aguinaldo and a number of Filipinos were in Hongkong and were anxious to go to the Philippines, and I said they might bring twelve when the *McCulloch* came back.

Senator PATTERSON. They brought fourteen, I think—Aguinaldo and what they called thirteen of his staff. What vessel did they come in?

Admiral DEWEY. In the *McCulloch*—the revenue cutter *McCulloch*.

Senator PATTERSON. When the revenue cutter arrived, did you send your launch for Aguinaldo?

Admiral DEWEY. I do not remember. Very likely I did, because they had the mail and they had provisions, and we sent boats over, probably many boats.

Senator PATTERSON. In the talk with these little Filipino men you speak of before you started from Manila, had they said anything about the insurrection in the islands and what they desired?

Admiral DEWEY. No.

Senator PATTERSON. What was it they were bothering you about?

Admiral DEWEY. God knows; I don't know. They were taking my time about frivolous things. I let them come over as an act of courtesy, just as you sometimes give money to a man to get rid of him; not that I expected anything from them. As I said in my direct testimony, I expected to find a large force of Filipinos under arms in insurrection to assist me. I was told that at my first gun there would be 25,000 or 30,000 Filipinos rise. But they did not rise. There was not one

under arms, and when Aguinaldo came, the first information he received that they were beginning to assemble I gave him.

Senator PATTERSON. Did you have any idea what Aguinaldo's hopes or desires were in connection with the Philippine Islands when he came to Manila Bay?

Admiral DEWEY. I did not think much about it. Certainly it never entered my head that he wanted independence.

Senator PATTERSON. You wrote to the Navy Department about the capacity of the Filipinos for self-government?

Admiral DEWEY. Yes; I wrote that because I saw in the newspapers that Congress contemplated giving the Cubans independence, and I knew that our people did not know very much about the Filipinos at that time. I knew that because before going there I had great difficulty in finding out anything about them. Therefore I gave this information as something which was not generally known.

Senator CARMACK. What was the date of that telegram?

Admiral DEWEY. I should think about the latter part of May. I had at that time several hundred of the Filipinos employed at the navy-yard which we had captured. They were docile, amiable, intelligent, doing exactly the same kind of work that the men down at the navy-yard here are doing, and they were most kindly disposed toward us. They looked on us as their liberators, and I say that in my opinion they are more capable of self-government than the Cubans.

Senator CARMACK. You repeated that subsequently in another dispatch?

Admiral DEWEY. I think I did, and I still think so.

Senator CARMACK. When did you first begin to learn that they desired independence?

Admiral DEWEY. I have already stated that Aguinaldo, on the middle of July, sent me a proclamation from Bacoor, across the bay, declaring the independence of the Filipinos, which I considered so unimportant and so trivial that I did not cable it to Washington but sent it by mail, "Respectfully forwarded for the information of the Navy Department."

Senator BURROWS. Did you make any response to Aguinaldo to that proclamation?

Admiral DEWEY. No; none at all.

Senator CARMACK. What was the date of your dispatch, to the Navy Department I think it was, in which you said that these people expected independence?

Admiral DEWEY. I don't remember that.

Senator CARMACK. I think you will find that language in one of your dispatches—"These people expect independence"—probably in the second dispatch, in which you reaffirm—

Admiral DEWEY. In which I said that they were more capable of self-government?

Senator CARMACK. Yes. I think where you reaffirmed that statement; I think probably it is in that.

Admiral DEWEY. I don't remember that one. Perhaps if it were read—

Senator CARMACK. "These people expect independence;" that is the language.

Admiral DEWEY. Well, you may believe me, gentlemen, they do not at first; they did not.

Senator PATTERSON. This is the dispatch referred to:

The SECRETARY OF THE NAVY, *Washington*:

Receipt telegram June 14 is acknowledged; Aguinaldo, insurgent leader, with thirteen of his staff arrived May 19 by permission on *Nauahan*.

Admiral DEWEY. That was one of my steamers; but it ought to have been the *McCulloch*.

Senator PATTERSON (reading):

Established himself at Cavite outside the arsenal under the protection of our guns and organized his army. I have had several conferences with him, generally of a personal nature. Consistently I have refrained from assisting him in any way with the forces under my command, and on several occasions I have declined requests that I should do so, telling him the squadron could not act until the arrival of the United States troops. At the same time I have given him to understand that I consider the insurgents as friends, being opposed to a common enemy.

Admiral DEWEY. That is pretty good.

Senator PATTERSON (reading):

He has gone to attend a meeting of insurgent leaders for the purpose of forming a civil government.

Admiral DEWEY. What is the date of that?

Senator PATTERSON. June 27.

Aguinaldo has acted independent of the squadron, but has kept me advised of his progress, which has been wonderful. I have allowed to pass by water recruits, arms, and ammunition and to take such Spanish arms and ammunition from the arsenal as he needs. Have advised him frequently to conduct the war humanely, which he has done invariably. My relations with him are cordial, but I am not in his confidence. The United States has not been bound in any way to assist the insurgents by any act or promises, and he is not to my knowledge committed to assist us. I believe he expects to capture Manila without my assistance, but doubt his ability, they not having many guns—

Admiral DEWEY. And by that I meant cannon, you know.

Senator PATTERSON (continuing):

In my opinion these people are far superior in intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races. Dewey.

Do you recall that dispatch?

Admiral DEWEY. Yes.

Senator PATTERSON. You say that the Spanish governor-general virtually surrendered to you on the 1st of May?

Admiral DEWEY. Yes.

Senator PATTERSON. And that you felt he would surrender to you at any time?

Admiral DEWEY. Any time that I had the force to occupy the city.

Senator PATTERSON. How did it come, Admiral, that you supplied Aguinaldo's men early in May with Mausers, allowed him to take possession of a lot of Spanish rifles or arms that had been sunk in the waters and commence the investment of Manila, if the Spanish governor-general was ready to surrender to you at any time you had forces to take possession of the city?

Admiral DEWEY. How does it happen that I permitted that?

Senator PATTERSON. Yes.

Admiral DEWEY. Well, I permitted it as a good military act, a proper military act. The Filipinos were our friends, assisting us; they were doing our work. I believed then that they would be so thankful and delighted to get rid of the Spaniards that they would accept us with open arms, and Aguinaldo was advised by Vice-Admiral Seymour

was waiting for troops to arrive, and I felt sure that could not take Manila, and I thought that the closer they city the easier it would be when our troops arrived to turned out as I expected, and we need not have lost a man.

Senator PATTERSON. But there was no necessity for invading.

Admiral DEWEY. Yes; there was.

Senator PATTERSON. No necessity for battle.

Admiral DEWEY. Yes; there was. I was investing the city. I cut off their supplies by water. I was in front blockading closely, and my friends, the Filipinos, were assisting me in cutting the supplies in the rear by investing the city.

Senator CARMACK. As I understand you, then, Admiral DEWEY, why they were willing to surrender was the fact they were on all sides.

Admiral DEWEY. Oh, no; they were ready to surrender. The fleet commanded the water. The moment that that Spanish fleet was destroyed that was the end of the Spanish authority in the Philippines.

Senator CARMACK. Then the Filipino army might as well have been there?

Admiral DEWEY. Yes; as far as the capture of Manila was concerned.

Senator CARMACK. Did it serve any useful purpose without them?

Admiral DEWEY. Oh, yes; they were very friendly. They were our friends helping us. I had no troops of my own. I had had troops I should not have needed them.

Senator CARMACK. The point I was getting at is this: If the Filipinos were ready and willing to surrender to the Americans, did you have of any forces, Americans or Filipinos?

Admiral DEWEY. Well, there was a big city there. I think, about 15,000 Spanish troops there, and I would have some forces to hold the city—to police the city and to take care of the prisoners.

Senator CARMACK. You were not willing to intrust the city with the prisoners.

Admiral DEWEY. Oh, no.

Senator CARMACK. Then what useful purpose did the Filipinos serve; why did you want the Filipino army at all?

Admiral DEWEY. I did not want them.

Senator CARMACK. Did you not want the Filipino forces to occupy the city?

Admiral DEWEY. No, not really. It was their own city. We could have taken the city at any moment with our troops to occupy it.

Senator CARMACK. Did you not encourage Aguinaldo organizing an army?

Admiral DEWEY. Yes, to a certain extent; I let him take a few arms. We never turn away friends, do we?

Senator CARMACK. Did you not say that Aguinaldo was discouraged and ready to abandon it, and you encouraged him to make another effort to organize an army there?

Admiral DEWEY. Yes. One's hindsight is a great deal better than his foresight. Looking back, I would not have had him there; I would not have had anything to do with any of them. I did not know as much then as I know now; none of us did.

Senator CARMACK. You thought, then, you would need them.

Admiral DEWEY. I thought they would be friendly to us and would help us; and they were very ungrateful, I think, in turning against us after what we had done for them.

Senator CARMACK. That is a question of who turned.

Senator PATTERSON. Admiral, in the statements that you made at first, were they with reference to your knowledge now or to your knowledge and feelings at the time you were in Manila Bay?

Admiral DEWEY. What statements?

Senator PATTERSON. About the immateriality of anything that Aguinaldo might do—the gathering of his forces, the assistance to you.

Admiral DEWEY. That is what I thought then.

Senator PATTERSON. Admiral, do I understand you to mean that, although you believed or knew that the Spanish governor-general would surrender to you at any time that you had forces to occupy the city, nevertheless you encouraged the formation of Aguinaldo's army, the investment of the city, the fighting of battles between the Spaniards and Aguinaldo, and matters of that kind?

Admiral DEWEY. That was a matter—as I told Aguinaldo at the time—a matter entirely between the Filipinos and the Spaniards.

Senator PATTERSON. Why, Admiral, did you allow Aguinaldo to act independently of you in the investment of a city, resulting in battles, in killing and wounding, and hardships incidental to actions in the field, when you knew that all you had to do was to await the arrival of enough forces to occupy the city and maintain peace there and that it would be surrendered to you?

Admiral DEWEY. Oh, Aguinaldo had gotten beyond me at that time. He would not have listened to me; I could not have stopped him.

Senator PATTERSON. What did you encourage the organization of his army for, Admiral, if you were expecting forces from the United States, and you knew the city would be surrendered as soon as you had those forces?

Admiral DEWEY. I did not know what the action of our Government would be; I did not know that they were going to send troops.

The CHAIRMAN. It was not decided for some weeks afterwards, was it?

Admiral DEWEY. No. I was a long distance from home, with no cable communications, meeting these great questions, and acting as I thought best.

Senator PATTERSON. I understand that. We all know how well you did it, too.

Admiral DEWEY. I cannot, perhaps, say why I did that or why I

Senator PATTERSON. On May 20 at Cavite, leaving H
24, you sent the following dispatch to the Secretary of

Situation unchanged. Strict blockade is continued. Great sea
Manila. Foreign subjects fear an attack of the Spanish soldiers. An
been made for them to be transferred to Cavite by the foreign men
sary. Aguinaldo, the rebel commander in chief brought down by th

Admiral DEWEY. You saw the other paper——

Senator PATTERSON (quoting):

Organizing forces in Cavite, and may render assistance that will

That was on the 24th of May.

I do not consider submarine mines here practicable on account of
and width of bay and entrance.

Then this is the closing sentence:

How many troops coming here *Pekin*?

That meant on the *Pekin*, I suppose.

When expected to arrive? I request you send provisions for squa
also small stores.

Admiral DEWEY. Before that you will see where I said

The CHAIRMAN. That was 2,000 sailors and marines?

Admiral DEWEY. Yes. Before that they had asked
troops were necessary, in my opinion.

The CHAIRMAN. I think you said 5,000.

Admiral DEWEY. I think so.

Senator CARMACK. That is my recollection of it; I
5,000 at one time.

Admiral DEWEY. I know the Army laughed at me
number.

Senator BURROWS. This 2,000 was for your own squa

Admiral DEWEY. Yes; these were provisions for 2,000

Senator PATTERSON. So, on the 20th of May, twenty
sinking of the fleet you wired the Secretary of the Navy

y at any moment." I think that was one of the first dispatches, the 1st or 2d of May. "Can take the city at any moment."

Senator PATTERSON. Then, Admiral, until you knew that they were going to send land forces to your assistance you thought there was a necessity to organize the Filipinos into land forces, did you?

Admiral DEWEY. No; not a necessity.

Senator PATTERSON. You thought it might prove of value to you?

Admiral DEWEY. I testified here, I think, in a way that answers it. I said to Aguinaldo, "There is our enemy; now, you go your way and I will go mine; we had better act independently." That was the wisest thing I ever said.

Senator PATTERSON. But you stated that you were using these people and they were permitted to organize, that you might use them.

Admiral DEWEY. They were assisting us.

Senator PATTERSON. Very well, they were to assist you. Did you either permit them or encourage them—I do not care which term you use—to organize into an army, such as it was, that they might render you such assistance as you needed?

Admiral DEWEY. They were assisting us, but incidentally they were fighting their enemy; they were fighting an enemy which had been their enemy for three hundred years.

Senator PATTERSON. I understand that, Admiral.

Admiral DEWEY. While assisting us they were fighting their own battles, too.

The CHAIRMAN. You were encouraging insurrection against a common enemy with which you were at war?

Admiral DEWEY. I think so. I had in my mind an illustration furnished by the civil war. I was in the South in the civil war, and the only friends we had in the South were the negroes, and we made use of them; they assisted us on many occasions. I had that in mind; I said these people were our friends, and "we have come here and they will help us just exactly as the negroes helped us in the civil war."

Senator PATTERSON. The negroes were expecting their freedom—

Admiral DEWEY. The Filipinos were slaves, too.

Senator PATTERSON. What were the Filipinos expecting?

Admiral DEWEY. They wanted to get rid of the Spaniards; I do not think they looked much beyond that. I can not recall, but I have heard that the one thing they had in their minds was to get rid of the Spaniards and then to accept us, and that would have occurred—I have thought that many times—if we had had troops to occupy Manila on the 1st day of May before the insurrection got started; these people would have accepted us as their friends, and they would have been our natural friends. I don't know for how long, but they would have been our friends then.

Senator PATTERSON. You learned from Pratt, or Wildman, or Williams very early, did you not, that the Filipinos wanted their own country and to rule their own country; that that is what they were expecting?

Admiral DEWEY. I heard from Williams that there was an insurrection there against the Spaniards. The Spaniards were very cruel to them, and I think they did not look much beyond getting rid of them. There was one, Dr. Rizal, who had the idea of independence, but I don't think that Aguinaldo had much idea of it.

Senator PATTERSON. By the 1st of June, Admiral, how large an army did Aguinaldo have?

Admiral DEWEY. That was about the time they attacked
ruary, when they made the attack on the lines around
Senator PATTERSON. How many were there when you
city; how many Filipinos were under arms when you
Admiral DEWEY. I don't know.

Senator PATTERSON. About how many?

Admiral DEWEY. I have no idea. Well, the largest
I think they could have had any number of men; it was
of arming them. They could have had the whole popul

Senator PATTERSON. Did they not gather to Aguin
prising rapidity?

Admiral DEWEY. Yes; they did.

Senator PATTERSON. When was it they captured ti
Cavite? Where did they capture the first Spanish pris

Admiral DEWEY. Well, I should think it was some tim
of May. The Spaniards had small outposts—one com
two companies there—and as soon as the Filipinos had
ized they went around the head of that big bay and att
these outposts, and I should think it was the latter pa
they began to make their first captures, and as fast as t
ture one of these posts that would give them so many
their troops.

Senator PATTERSON. How many arms did you sup
besides the 75 Mausers?

Admiral DEWEY. That is all.

Senator PATTERSON. How many arms did they take
that had been sunk by the Spaniards?

Admiral DEWEY. That was not arms; that was ammu
thrown a lot of Mauser ammunition into the bay. W
and we had no Mauser rifles, and so we threw tons of t
into the bay, and they fished it out.

Senator PATTERSON. Were there no arms taken out
the Filipinos?

Admiral DEWEY. I captured the steamer that brought them there. She was owned by a renegade American.

Senator PATTERSON. When was that?

Admiral DEWEY. I should say in July, possibly. It was a little steamer; she landed at Batangas. I heard she was going to land. When I got there she had already landed the arms.

Senator PATTERSON. When did the Filipinos first display a flag?

Admiral DEWEY. They got some little launches that were hidden in the bayous about there, and I should think about midsummer, perhaps in June, they had a little blue flag on these tugs which they called the Filipino flag.

Senator PATTERSON. And the German officials came there to you and explained to you about it?

Admiral DEWEY. Yes; that is, they asked if I was going to permit it.

Senator PATTERSON. And you put them off?

Admiral DEWEY. I said, "That is no Filipino flag; there is no Filipino government." It was a little pennant that anybody could fly.

Senator PATTERSON. You knew at that time, did you not, Admiral, that they were claiming the right to establish an independent government or a government of their own there?

Admiral DEWEY. I am not sure whether that was before they issued that proclamation or after; I am not sure about that.

Senator PATTERSON. At least after the proclamation was issued you knew that they were seeking to establish an independent government?

Admiral DEWEY. Yes.

Senator PATTERSON. You did not interfere in any way with the flying of the flag?

Admiral DEWEY. No; until there got to be too many of them there, and then I captured about 20, all they had—just took them—and I said, "You don't need any"—

Senator PATTERSON. When was that?

Admiral DEWEY. That was in the fall of 1898.

Senator PATTERSON. That was after you took possession of the city; but I am talking about up to the time you took possession of the city on the 13th of August. You did not interfere—you knew at that time that they were organized for the purpose of establishing a government of their own?

Admiral DEWEY. I did not take that seriously, really.

Senator PATTERSON. I know; but nevertheless you knew that there were many thousands under arms with Aguinaldo; they had formed a civil government of which you had knowledge, they were flying the flag of their own country, and you did not interfere with it?

Admiral DEWEY. I knew that there was no government in the whole of the Philippines. Our fleet had destroyed the only government there was, and there was no other government; there was a reign of terror throughout the Philippines, looting, robbing, murdering; a reign of terror throughout the islands.

Senator PATTERSON. We have no record of that, Admiral, up to the time you took possession of the city, that I know of, from the time you got there in May until you took possession of the city on the 13th of August.

Admiral DEWEY. I think it is a fact, though; it is a fact that they were in possession, they had gotten pretty much the whole thing except Manila.

SENATOR PATTERSON. What interference was there with
by a foreign vessel?

Admiral DEWEY. A German man-of-war was there and
allow the Filipinos to pass from the mainland to Isla Grande.

Senator PATTERSON. What did the Filipinos wish to do
islands for?

Admiral DEWEY. To capture the Spanish garrison.

Senator PATTERSON. And this German man-of-war would
mit them to do it?

Admiral DEWEY. No.

Senator PATTERSON. Aguinaldo complained of that to you.

Admiral DEWEY. Yes.

Senator PATTERSON. And you sent Captain Coghlan and a
couple of your vessels, which resulted in the German
ceasing to obstruct; and then did Aguinaldo go and take the

Admiral DEWEY. These Spaniards surrendered to Captain
the garrison surrendered to him, and by my instruction
them over to the Filipinos.

Senator PATTERSON. Admiral, why should you seek to
tions out of the way of the Filipino forces?

Admiral DEWEY. I didn't want any other power to interfere
Philippines.

Senator PATTERSON. You wanted the Filipinos to go and
the garrison?

Admiral DEWEY. They were our friends; yes.

Senator PATTERSON. When Captain Coghlan went and
prisoners surrendered to him and then you turned them over to
Aguinaldo?

Admiral DEWEY. Yes.

Senator PATTERSON. What time was that?

Admiral DEWEY. It was before the capture of Manila. I
think that was some time in June, possibly.

The CHAIRMAN. It is 12 o'clock, and I suppose you will

WASHINGTON, *Friday, June 27, 1902.*

The committee met at 10.30 o'clock a. m.

Present, the chairman and Senators Beveridge, Burrows, Deitrich, Carmack, and Patterson.

STATEMENT OF ADMIRAL GEORGE DEWEY, U. S. N.—Continued.

Senator PATTERSON. Admiral, when did you commence negotiations with the Spanish commander at Manila for capitulation or surrender—about how many days before the 13th of August?

Admiral DEWEY. Of course I am speaking from memory; I should think within ten days or two weeks, through the Belgian consul. Understand, now, I have not posted myself as to dates.

Senator PATTERSON. We only expect when it comes to the matter of dates that you will approximate it.

Admiral DEWEY. And I am speaking of something that happened four years ago.

Senator PATTERSON. When did you reach an understanding with the Spanish commander upon that subject—how long before the 12th or 13th of August?

Admiral DEWEY. Several days before.

Senator PATTERSON. To whom did you communicate the arrangement that you had?

Admiral DEWEY. General Merritt and, of course, all of my own captains—General Merritt, and I think a council of officers on board of one of the steamers. I think there were several army officers present when I told the General that; and I may say here that I do not think General Merritt took much stock in it.

Senator PATTERSON. What statement did you make to them, Admiral, in substance?

Admiral DEWEY. That the Spaniards were ready to surrender, but before doing so I must engage one of the outlying forts. I selected one at Malate, away from the city. They said I must engage that and fire for a while, and then I was to make signal by the international code, "Do you surrender?" Then they were to hoist a white flag at a certain bastion; and I may say now that I was the first one to discover the white flag. We had 50 people looking for that white flag, but I happened to be the first one who saw it. I fired for a while, and then made the signal according to the programme. We could not see the white flag—it was rather a thick day—but finally I discovered it on the south bastion; I don't know how long it had been flying there when I first saw it.

Senator PATTERSON. According to the agreement?

Admiral DEWEY. Yes. I read General MacArthur's testimony in which he said he knew of no such arrangement as that. Of course it was not my business to communicate it to anybody but the commanding general.

Senator PATTERSON. And you did that?

Admiral DEWEY. Oh, yes; to General Merritt.

Senator PATTERSON. You were to bombard one of the outlying forts?

Admiral DEWEY. Yes; one of the outlying forts.

Senator PATTERSON. And everything was carried out according to the programme?

Admiral DEWEY. Exactly, according to the programme.

Senator PATTERSON. I notice one of the official communications between yourself and General Jaudenes—but first, before I read the correspondence, I would like you to state what you mean by saying that General Merritt took no stock in the arrangement.

Admiral DEWEY. He thought the Spanish authorities were tricking me and that they were not going to carry out their side of it. I think so——

Senator PATTERSON. Did he say so?

Admiral DEWEY. No; he did not say so, but I think so. That is simply my opinion.

Senator PATTERSON. Without any statement from General Merritt on which to base it?

Admiral DEWEY. In fact my own chief of staff, Brumby, did not believe it.

Senator PATTERSON. You had no question about the good faith of General Jaudenes?

Admiral DEWEY. Not the slightest; because I knew the Spaniards were thoroughly demoralized.

Senator PATTERSON. You communicated your convictions to the council, did you?

Admiral DEWEY. I told General Merritt; I am not sure whether I told these officers. I went to see him on one of the steamers and he had several of his officers with him. What we said on that occasion I don't remember. I know the general was very anxious to make an attack at once, and I was not ready because I wanted the monitors which were on their way.

Senator PATTERSON. I will come to that in a little while. I call your attention to this communication. It is dated Manila Bay, August 7, 1898, and it is addressed to the general in chief commanding the Spanish forces in Manila, and reads:

SIR: We have the honor to notify your excellency that operations of the land and naval forces of the United States against the defenses of Manila may begin at any time after the expiration of forty-eight hours from the hour of receipt by you of this communication, or sooner, if made necessary by an attack on your part.

This notice is given in order to afford you an opportunity to remove all non-combatants from the city.

Very respectfully,

WESLEY MERRITT,
Major-General, U. S. A.,
Commanding Land Forces United States,
GEORGE DEWEY,
Rear-Admiral, U. S. N.,
Commanding United States Naval Forces on Asiatic Station.

You recall that?

Admiral DEWEY. Yes, sir.

Senator PATTERSON. Had you been communicating with General Jaudenes before that official communication of yours?

Admiral DEWEY. Yes.

Senator PATTERSON. But at that time (the 7th of August) you had reached no conclusion?

Admiral DEWEY. You understand that was a diplomatic negotiation that was going on by means of verbal messages. I remember distinctly that there were some points of difference between General Jaudenes and myself in the verbal negotiations. Probably we had not arrived at a positive statement as early as that date, although I am not sure.

Senator PATTERSON. To this General Jaudenes made the following answer:

MANILA, August 7, 1898.

*To the Major-General of the Army, and to the Rear-Admiral of the Navy,
Commanding, respectively, the Military and Naval Forces of the United States.*

GENTLEMEN: I have the honor to inform your excellencies that at half past 12 to-day I received the notice with which you favor me, that after forty-eight hours have elapsed you may begin operations against this fortified city, or at an earlier hour if the forces under your command are attacked by mine.

As your notice is sent for the purpose of providing for the safety of the noncombatants, I give thanks to your excellencies for the humane sentiments you have shown, and state that, finding myself surrounded by insurrectionary forces, I am without places of refuge for the increased numbers of wounded, sick, women, and children who are now lodged within the walls.

Very respectfully, and kissing the hands of your excellencies,

FERMIN JAUDENES,
Governor-General and Captain-General of the Philippines.

The insurrectionary forces with which he found himself confronted, that prevented his sending the sick and wounded and women and children from the city, referred to Aguinaldo's army, I suppose.

Admiral DEWEY. I suppose so.

Senator PATTERSON. And he gave that as a reason for not being able to send noncombatants out of the city?

Admiral DEWEY. He could have sent them all by water, you know. That does not amount to anything—that reason.

Senator PATTERSON. Did you have any place to send them?

Admiral DEWEY. Yes; at one time there were a dozen or fifteen steamers lying there under my guns loaded with women and children, because he thought I was going to bombard the city.

Senator PATTERSON. This was all diplomatic also, was it—this correspondence on the 7th.

Admiral DEWEY. Absolutely; it was diplomatic on his part, his giving that as a reason, because it was not a reason.

Senator PATTERSON. Nevertheless, that was the reason he gave?

Admiral DEWEY. Yes.

Senator PATTERSON. You do not believe it was the true reason?

Admiral DEWEY. No.

Senator PATTERSON. Then, on the 9th of August you and General Merritt sent him the following letter:

The Governor-General and Captain-General of the Philippines.

SIR: The inevitable suffering in store for the wounded, sick, women, and children, in the event that it becomes our duty to reduce the defenses of the walled town in which they are gathered, will, we feel assured, appeal successfully to the sympathies of the general capable of making the determined and prolonged resistance which your excellency has exhibited after the loss of your naval forces and without hope of succor.

Did you mean that, or was that diplomatic?

Admiral DEWEY. That is a good, straight letter, I think. I do not know that you know what we were trying to do. We were trying to get that city without loss of life; General Merritt and I were trying to do that.

Senator PATTERSON (continuing to read):

We therefore submit, without prejudice to the high sentiments of honor and duty that your excellency entertains, that, surrounded on every side as you are by a constantly increasing force, with a powerful fleet in your front, and deprived of all prospects of reinforcements and assistance, a most useless sacrifice of life would result in the event of an attack, and therefore every consideration of humanity makes it

imperative that you should not subject your city to the horrors of a bombardment. Accordingly we demand the surrender of the city of Manila and the Spanish forces under your command.

That was a straight letter?

Admiral DEWEY. Yes.

Senator PATTERSON. Was not that letter written because of your inability up to that time to make a definite arrangement with General Jaudenes?

Admiral DEWEY. No; I was negotiating with him all the time those letters were being written and getting messages from him every day. I knew he was going to surrender.

Senator PATTERSON. He then wrote you a letter, in which he asked for opportunity to consult his Government before he would give you a definite answer to the letter I have just read, and to that, on the 10th of August, General Merritt and yourself addressed him the following letter:

The Governor-General and the Captain-General of the Philippine Islands.

SIR: We have the honor to acknowledge the communication of your excellency of the 8th instant, in which you suggest your desire to consult your Government in regard to the exceptional circumstances in your city, provided the time to do so can be granted by us.

In reply we respectfully inform your excellency that we decline to grant the time requested.

Very respectfully,

WESLEY MERRITT,
Major-General, U. S. A., Commanding United States Land Forces.

GEORGE DEWEY,
Rear-Admiral, U. S. N., Commanding United States Naval Forces,
Asiatic Station.

Admiral DEWEY. That would have meant at least seven days, as there was no cable to Hongkong and we would have had to send a steamer to Hongkong to cable to Madrid and then bring the message back by steamer, and that would have taken a week or eight days at the least.

Senator PATTERSON. The matter culminated on the 13th of August. Was there any information given to the Department at this time that Manila had capitulated under this agreement?

Admiral DEWEY. Under this agreement?

Senator PATTERSON. Under the agreement entered into previous to the taking of the city.

Admiral DEWEY. We captured the city.

Senator PATTERSON. What I ask is, was there any information given to the Department that your capture of the city was under the circumstances I mentioned, and that you have stated existed.

Admiral DEWEY. I suppose that book which you have gives the report; it was reported, of course, that we captured the city.

Senator PATTERSON. But did you at the time it was done communicate to the Department, or was there any information given to the public that Manila had surrendered under the circumstances you have just detailed—captured or otherwise?

Admiral DEWEY. I think some newspapers must have printed it; it was generally known.

Senator PATTERSON. Was it generally known to the land and naval forces immediately after it occurred?

Admiral DEWEY. Well, that I can not say; but it was generally known in my squadron that there was to be no real battle, as the Spaniards were not to fire. I went in with only three ships.

kept the others in reserve. My squadron knew it, and I supposed the Army knew it——

Senator PATTERSON. The information we got in this country was it was simply and purely a storming and capture of the city of Manila. We did not get any information of the agreement.

Admiral DEWEY. Oh, no; there are lots of things that are not given out.

Senator PATTERSON. That are not communicated?

Admiral DEWEY. That are not communicated; yes.

Senator PATTERSON. Do you know why those things should have been kept from the public?

Admiral DEWEY. I do not think I ought to answer that; I know there are a great many things that are not given to the public.

The CHAIRMAN. It was made known later.

Admiral DEWEY. I suppose it was. They knew it in the squadron.

Senator PATTERSON. I understand your commandants were told about it?

Admiral DEWEY. Yes.

Senator PATTERSON. Admiral, after the battle of Manila Bay, what newspapers did you get—what newspapers were you enabled to receive?

Admiral DEWEY. From home?

Senator PATTERSON. No; from Singapore and Hongkong.

Admiral DEWEY. We used to get the Hongkong papers regularly, and occasionally the Singapore paper, but the latter contained old news when we got it and so I did not read it very much. They had two or three daily papers in Hongkong which I read regularly.

Senator PATTERSON. I suppose you read with some interest whatever pertained to your operations there?

Admiral DEWEY. Yes.

Senator PATTERSON. Did you read the articles in the Singapore Free Press about Aguinaldo, how he came to——

Admiral DEWEY. Very likely I did, although I don't remember.

Senator PATTERSON. In the Singapore Free Press of Wednesday, May 4, 1898, was given in detail the proceedings between Mr. Pratt and Aguinaldo and Bray, and your correspondence with Pratt upon the subject. You knew of that, did you, Admiral?

Admiral DEWEY. Very likely I read it, although I do not recall it now, and I do not remember my correspondence with him.

Senator PATTERSON. It was the article of the Free Press that I wanted to call your attention to. This article was made the subject of correspondence between Consul Pratt and Mr. Day, the Secretary of State, Pratt sending it to Mr. Day. In that article appears this:

During this conference, in which Mr. Bray acted as interpreter, General Aguinaldo explained to the American consul-general, Mr. Pratt, the incidents and objects of the late rebellion, and described the present disturbed state of the country. General Aguinaldo then proceeded to detail the nature of the cooperation he could give, in which he, in the event of the American forces from the squadron landing and taking possession of Manila, would guarantee to maintain order and discipline among the native troops and inhabitants in the same humane way in which he had hitherto conducted the war, and to prevent them from committing outrages on defenseless Spaniards beyond the inevitable in fair and honorable warfare. He further declared his ability to establish a proper and responsible government on liberal principles, and would be willing to accept the same terms for the country as the United States intend giving to Cuba.

The consul-general of the United States, coinciding with the general views expressed during the discussion, placed himself at once in telegraphic communication with Admiral Dewey at Hongkong, between whom and Mr. Pratt a frequent interchange of telegrams consequently took place.

You recall in a general way that statement?

Admiral DEWEY. No; I do not believe I ever read it. If I did, I did not attach any importance to it. Mr. Pratt had nothing to do with my affairs.

Senator PATTERSON. I understand that, except as you and he communicated as a result of his telegraphic dispatch.

Admiral DEWEY. He said, "Aguinaldo is here." I said, "All right; let him come."

Senator PATTERSON. You said, "Send him on without delay."

Admiral DEWEY. "Send him on," yes; but I did not wait for him.

Senator PATTERSON. You could not have waited for him.

Admiral DEWEY. I could have waited.

Senator PATTERSON. I would not have supposed you would have stopped the squadron for Aguinaldo. Then in the same article was this statement of Aguinaldo's policy:

General Aguinaldo's policy embraces the independence of the Philippines, whose internal affairs would be controlled under European and American advisers. American protection would be desirable temporarily on the same lines as that which might be instituted hereafter in Cuba. The ports of the Philippines would be free to the trade of the world, safeguards being enacted against an influx of Chinese aliens who would compete with the industrial population of the country. There would be a complete reform of the present corrupt judicature of the country under experienced European law officers. Entire freedom of the press would be established as well as the right of public meeting. There would be general religious toleration, steps would be taken for the abolition and expulsion of the tyrannical religious fraternities who have laid such strong hands on every branch of civil administration. Full provision would be given for the exploitation of the natural resources throughout the country by roads and railways, and by the removal of hindrances to enterprise and investment of capital. Spanish officials would be removed to a place of safety until an opportunity offered to return them to Spain. The preservation of public safety and order and the checking of reprisals against Spaniards would naturally have to be a first care of the government in the new state of things.

That is a part of the same article of May 4. Can you now recall whether you read that?

Admiral DEWEY. No. If I read it I did not attach any importance to it.

Senator PATTERSON. It is not important only as it indicates what the desires and the purposes of Aguinaldo and the Filipinos in that country were at that time; that is the only importance that can be attached to it.

Admiral DEWEY. As I said yesterday, the first I knew of his desire for independence was that proclamation sent me the middle of July.

Senator PATTERSON. We will come to that a little later. Admiral, was there not a proclamation sent from Filipinos in Hongkong or Singapore to the Filipinos at or about the time that Aguinaldo went to you at Manila Bay?

Admiral DEWEY. No, sir; not to my knowledge. I never heard of it.

Senator PATTERSON. Let me call your attention to this:

Singapore, May 20, 1898 —

This is from Consul-General Pratt to the Secretary of State—

SIR: I have the honor to submit to your consideration a proclamation in Spanish issued prior to the departure of our fleet for Manila, by the insurgent leaders in Hongkong, calling upon the Filipinos not to obey the appeal of the Spaniards to oppose the Americans, but to rally in support of these, as they came as their friends and liberators.

Three copies of the English translation of the above I also inclose for handling; the press, should that, in your opinion, seem advisable.

I have the honor to be,

F. SPENCER PRATT,
United States Consul-General

Did you not have knowledge of that?

Admiral DEWEY. No; and they had no means of circulating a proclamation of that kind in the Philippine Islands.

Senator PATTERSON. They could have sent them by Aguinaldo or some of those who accompanied him on the *McCulloch*?

Admiral DEWEY. Well, they could have; yes.

Senator PATTERSON. Is it not likely, Admiral, that for the purpose of gathering the Filipinos under his standard Aguinaldo issued a proclamation—scattered a proclamation?

Admiral DEWEY. I understand that this was sent prior to the sailing of my squadron.

Senator PATTERSON. I said at or about the time.

The CHAIRMAN. Did not that last statement you read say prior to the sailing of the squadron?

Senator PATTERSON. The proclamation was issued prior to the departure of our fleet—that is the language; but the Admiral will agree, I think, that it was altogether likely at least that Aguinaldo promulgated some sort of a call for the Filipinos to come to his standard.

Admiral DEWEY. I do not see how he could have done it. It was not safe to send a letter through the mails. My correspondence with our consul at Manila I had to carry by verbal message—we could not trust the mail. The mails were opened. Aguinaldo could not have sent dispatches that way.

Senator PATTERSON. What I said was this: While this was issued before your fleet sailed, yet can you say that Aguinaldo did not bring them with him and use them when he landed at Cavite for the purpose of gathering an army?

Admiral DEWEY. No, I can not; but I think it extremely unlikely that they were sent until after our destruction of the fleet. I do not think they could have sent them before.

Senator PATTERSON. I agree with you that probably they did not reach the Philippine Islands until after the destruction of the fleet.

Admiral DEWEY. Then things were changed. There was no government then.

Senator PATTERSON. It was after that, of course, after the 15th or 16th, that Aguinaldo landed. Now, then, at that time he issued the proclamation, did he not?

Admiral DEWEY. He did on the 15th of July; he sent me a proclamation on the 15th of July.

Senator PATTERSON. Was this the proclamation he sent you?

Admiral DEWEY. Where he declared independence?

Senator PATTERSON (continuing). I am talking about May, when he landed at Cavite for the purpose of gathering a Filipino army.

Admiral DEWEY. I do not know of any proclamation then.

Senator PATTERSON. It is altogether likely he issued a proclamation.

Admiral DEWEY. Very likely—

Senator PATTERSON. He had to take some method of communicating as rapidly as possible with the Filipinos on the outside.

Admiral DEWEY. I remember now—that refreshes my memory—that we captured a hand printing press in the navy-yard, and I gave him that press, and I think probably he used that very press for the purpose of printing these things.

Senator PATTERSON. Do you recall what his proclamation was?

Admiral DEWEY. No.

Senator PATTERSON. Do not you know that it referred to the generosity and the bravery of the American people, and that they came there as their liberators and he wanted them to rally to the United States Army? In substance, was not that the proclamation?

Admiral DEWEY. I do not remember that. I may have seen it, but I do not recollect it.

Senator PATTERSON. You have no recollection of this proclamation that Consul-General Pratt sent to the Secretary of State under date of May 20, 1898?

Admiral DEWEY. No.

Senator PATTERSON. That proclamation is as follows:

Compatriots, Divine Providence is about to place independence within our reach, and in a way that the most free and independent nation could hardly wish for.

The Americans—not from mercenary motives, but for the sake of humanity and the lamentations of so many persecuted people—have considered it opportune to extend their protecting mantle to our beloved country, now that they have been obliged to sever relations with Spain, owing to the tyranny this nation is exercising in Cuba, causing enormous injury to the Americans, who have such large commercial and other interests there.

And then, further, in this proclamation he commands—this is called the summary of omissions:

Do not fire on the Americans, who are our liberators, but rather on the Spaniards, who are our natural enemies. The Americans will attack by sea, therefore the insurgents must attack by land. Assemble where you see the American flag flying, and may the spirit of Rizal be with us and guide us to victory.

Senator BURROWS. What is the date of that proclamation?

Senator PATTERSON. It is not dated, but it is the proclamation that was inclosed by Consul-General Pratt on May 20 to the Secretary of State, stating it had been issued before the fleet sailed from Hongkong.

Admiral DEWEY. They were going to attack by land?

Senator PATTERSON. Yes. When was it that Consul Williams of Manila got to your fleet?

Admiral DEWEY. The very day that we left Mirs Bay, I should think, the 27th of April.

Senator PATTERSON. And you speak of him returning like a brave man?

Admiral DEWEY. I had no idea he would go back with us; I was surprised when I found he wanted to.

Senator PATTERSON. What kind of a man did you find Consul Williams to be?

Admiral DEWEY. A very earnest man.

Senator PATTERSON. A truthful, honorable man?

Admiral DEWEY. I thought him a very good man, a very earnest man, and I should say a very enthusiastic man. I should think that sometimes his enthusiasm might carry him away a little. For example, he said we would find 30,000 troops there that would rise with our first gun. He told me that.

Senator DIETRICH. In other words, his enthusiasm was about thirty times as great as his practical knowledge.

Admiral DEWEY. Yes; he had been a school-teacher.

Senator PATTERSON. A good many rose within a short time; not 30,000, perhaps.

With reference to cooperating with Aguinaldo, I find it set forth in Senate Document No. 62, in a letter from Consul Williams from the

Philippines, to the Secretary of State, under date of August 4, the opening paragraph of which is:

SIR: It has been my study to keep on pleasant terms with General Aguinaldo for ultimate objects. By so doing I have avoided certain troubles and aided our forces. Admiral Dewey says I have planted the seeds of cordial cooperation.

Admiral DEWEY. I do not remember having said that.

Senator PATTERSON. Would you say you had not?

Admiral DEWEY. Well, I would not, since he writes it.

Senator PATTERSON. Yes, he wrote it to the State Department:

Admiral Dewey says I have planted the seed of cordial cooperation.

Admiral DEWEY. I never saw that before.

Senator PATTERSON. Nevertheless it was written by Consul Williams to the Secretary of State.

Admiral DEWEY. I will say that I do not remember having said it.

Senator PATTERSON. You became quite well acquainted with Consul Wildman at Hongkong?

Admiral DEWEY. Yes.

Senator PATTERSON. What manner of man was he in your opinion, Admiral?

Admiral DEWEY. He is dead. I would rather not say anything about him.

Senator PATTERSON. We are not prohibited from speaking well of the dead.

Admiral DEWEY. He was consul-general of the United States there.

Senator PATTERSON. And you had much intercourse with him at that time, about the time your fleet was there and you were fitting out and getting ready to sail?

Admiral DEWEY. I would rather not go into that. Has that any bearing?

Senator PATTERSON. I don't know. I will see in a moment.

Admiral DEWEY. He was a very able man; he was a very able consul.

Senator PATTERSON. I call your attention to a letter written by Consul Wildman to the Acting Secretary of State from Hongkong on the 18th of July, in which he says:

On May 2 Aguinaldo arrived in Hongkong and immediately called on me. It was May 16 before I could obtain permission from Admiral Dewey to allow Aguinaldo to go by the United States ship *McCulloch*, and I put him aboard in the night so as to save any complications with the local government. Immediately on the arrival of Aguinaldo at Cavite he issued a proclamation, which I had outlined for him before he left, forbidding pillage, and making it a criminal offense to maltreat neutrals. He, of course, organized a government of which he was dictator, an absolutely necessary step if he hoped to maintain control over the natives, and from that date until the recent time he has been uninterruptedly successful in the field and dignified and just as the head of his government.

As far as your observation went were those statements about true?

Admiral DEWEY. Yes.

Senator PATTERSON. He continues:

According to his own statements to me by letter, he has been approached by both the Spaniards and the Germans, and has had tempting offers made him by the Catholic Church. He has been watched very closely by Admiral Dewey, Consul Williams, and his own junta here in Hongkong, and nothing of moment has occurred which would lead anyone to believe he was not carrying out to the letter the promises made to me in this consulate.

You had some information, did you not, that he had been approached by the Germans and the Spaniards?

Admiral DEWEY. There were a great many rumors. I was constantly hearing reports, and some of them I believed and some I did not believe.

Senator PATTERSON. You had an interview with him upon the subject, did you not?

Admiral DEWEY. No.

Senator PATTERSON. I think, perhaps, I can refresh your memory.

Admiral DEWEY. I do not recall it.

Senator PATTERSON. Is the next statement about correct—that he was watched very closely by yourself and Consul Williams and his own staff in Hongkong and that nothing of moment occurred which would lead anyone to believe that he was not carrying out to the letter the promise made?

Admiral DEWEY. I do not know whether it was correct. You are reading that?

Senator PATTERSON. You did keep a watchful eye on him, I suppose.

Admiral DEWEY. Of course I did.

Senator PATTERSON. And you found nothing to cause any doubt to his loyalty up to the time until after Manila surrendered?

Admiral DEWEY. His loyalty to whom?

Senator PATTERSON. To you and to the cause for which he was fighting.

Admiral DEWEY. I began to suspect he was not loyal to us at the time our troops arrived, when he demurred at moving on Cavite to make room for our troops.

Senator PATTERSON. Do you mean by that that you feared that he was commencing to think more of independence than the success of the American cause?

Admiral DEWEY. Yes.

Senator PATTERSON. Consul Wildman continues:

The insurgents are fighting for freedom from Spanish rule, and rely upon the known sense of justice that controls all the actions of our Government as to the future.

Was the cable between Manila and Hongkong cut?

Admiral DEWEY. Yes.

Senator PATTERSON. When?

Admiral DEWEY. On the 2d of May.

Senator PATTERSON. And when was it restored?

Admiral DEWEY. Some time after the capture of the city, some little time after.

Senator PATTERSON. I find that in a dispatch dated Hongkong, May 27, from you to the Department—what date would that be?

Admiral DEWEY. That would be about three days earlier.

Senator PATTERSON. That would be from Cavite, about the 24th.

Admiral DEWEY. The 23d or 24th, about three days' difference.

Senator PATTERSON. How long had Aguinaldo been there on the 23d or 24th of May?

Admiral DEWEY. I don't know. I can't remember.

Senator PATTERSON. He got there about the 19th. I was notified of the day. He had been there about four days. In this dispatch dated Hongkong, May 27, to the Secretary of the Navy you say among other things—

Steamer has just arrived from Amoy with 3,000 Mauser rifles and a great quantity of ammunition for Aguinaldo, whose force is increasing constantly.

Now, if that steamer had arrived prior to May 24 and Aguinaldo had reached you on May 19, those rifles must have been arranged for before Aguinaldo left Hongkong to come to you. Is not that logical?

Admiral DEWEY. Yes.

Senator PATTERSON. Upon what theory, Admiral, can you imagine that Aguinaldo arranged for and procured 3,000 Mauser rifles in Hongkong to be sent to him at Manila before he started on the McCulloch to see you unless it was by some arrangement or understanding with somebody representing the American Government upon whom he had a right to rely?

Admiral DEWEY. I have no theory on the subject.

Senator PATTERSON. There is one thing, however, you do know; that prior to May 24 a steamer arrived with 3,000 Mauser rifles and ammunition for Aguinaldo?

Admiral DEWEY. I remember a steamer arriving; I have forgotten the date.

Senator PATTERSON. This dispatch was sent on the 23d or 24th; so it must have been before that that this steamer arrived?

Admiral DEWEY. Yes.

Senator BEVERIDGE. You say you remember a steamer arriving that had this ammunition on board?

Admiral DEWEY. Curiously enough I do not remember about the ammunition, but it must be so as I say so in my dispatch. I remember the man that brought it over. He was that American who had a house next to the governor-general. He came from Honolulu, and you must have met him, Senator Beveridge. He was living in a good deal of style when you were there. I gave him a start in business, as I did Aguinaldo. He made a fortune afterwards.

Senator PATTERSON. These were not bought with American money, not supplied by the American Government?

Admiral DEWEY. You know there was money over there. There was money belonging to that junta.

Senator PATTERSON. Yes. They were bought with Filipino money, so far as you know?

Admiral DEWEY. As far as I know.

Senator PATTERSON. And sent to Aguinaldo at Cavite?

Admiral DEWEY. Yes.

Senator DIETRICH. Can I ask a question there?

Senator PATTERSON. If it is pertinent.

Senator DIETRICH. It is pertinent.

Do you not believe that it is true that the money that was used at that time to purchase those arms was, perhaps, money that Aguinaldo had received from the Spanish Government to leave the islands and give up the insurrection, and those same arms could have been used again for another insurrection which would have given him an opportunity to demand another half million from some government to stop an insurrection?

Admiral DEWEY. I do believe that.

Senator PATTERSON. Do you think the latter part is pertinent?

In June, Admiral, you sent to the Navy Department three proclamations that had been issued by Aguinaldo. That is right, is it not?

Admiral DEWEY. I suppose so. You are reading from an official document? I do not remember.

Senator PATTERSON. Your own testimony. You testified to sending

by mail to the Secretary of the Navy three proclamations that had been issued by Aguinaldo. You testified to that yesterday, and we have them here. This is your letter of transmission, dated June 12:

SIR: I have the honor to forward for the information of the Department copies, with translations, of three proclamations issued by General Aguinaldo, the insurgent leader in the Philippines.

These proclamations are dated May 24, 1898, within a week after he arrived at Cavite. Probably these are the proclamations he issued at the time you furnished him the printing press. The first proclamation of the three that you forwarded is addressed to the Filipinos, and is as follows:

The great North American nation, the cradle of genuine liberty, and therefore the friend to our people, oppressed and enslaved by the tyranny and despotism of its rulers, has come to us manifesting a protection as decisive as it is undoubtedly disinterested toward our inhabitants, considering us sufficiently civilized and capable of governing for ourselves our unfortunate country. In order to maintain this high esteem granted us by the generous North American, we should abominate all those deeds which tend to lower this opinion, which are pillage, theft, and all acts of crime relating to persons or property, with a purpose of avoiding international conflicts during the period of our campaign.

Does the reading of that recall it to your mind?

Admiral DEWEY. Yes; I think so.

Senator PATTERSON. Now, you learned that pretty early?

Admiral DEWEY. Nothing about independence there, is there?

Senator PATTERSON. But you knew of this?

Admiral DEWEY. Of course I did.

Senator PATTERSON. In the month of May?

Admiral DEWEY. Of course I did; I forwarded that. You said I forwarded that?

Senator PATTERSON. Yes.

Admiral DEWEY. Very likely I read it.

Senator PATTERSON. It is dated May 24.

Admiral DEWEY. Very likely I read it.

Senator PATTERSON. Five days after he got there.

Admiral DEWEY. It is very possible I read it, although I do not recall it.

Senator PATTERSON. He does not use the word "independence," but this is what he says:

The great North American nation, the cradle of genuine liberty, and therefore the friend to our people, oppressed and enslaved by the tyranny and despotism of its rulers, has come to us manifesting a protection as decisive as it is undoubtedly disinterested toward our inhabitants, considering us as sufficiently civilized and capable of governing for ourselves our unfortunate country.

When you got that from Aguinaldo, did you protest against it?

Admiral DEWEY. No; that was Aguinaldo's opinion. It was not my opinion, however.

Senator PATTERSON. I understand. And you forwarded that to the Secretary of the Navy. Were you ever told officially or otherwise to notify Aguinaldo that that was a vain and idle hope, or anything of that kind?

Admiral DEWEY. No.

Senator DIETRICH. Can I ask a question if it is pertinent to the subject?

Senator PATTERSON. I would prefer to continue.

Senator DIETRICH. All right.

Senator PATTERSON. In the second proclamation, which is of the same date, May 24, he uses this language:

Now that the great and powerful North American nation have come to offer disinterested protection for an effort to secure the liberation of this country I return to arm and command all the forces for the attainment of our lofty aspirations, establishing a dictatorial government which will set forth decrees under my sole responsibility, assisted by the advice of eminent persons until these islands are completely conquered and able to form a constitutional convention and to elect a president and cabinet, in whose favor I will duly resign the authority.

Now that is read to you I suppose you recall that?

Admiral DEWEY. No; I do not recall it. I must say I do not believe I ever read those.

Senator PATTERSON. Do you think it is possible you would send proclamations to Aguinaldo without reading them?

Admiral DEWEY. Yes. The days and nights were not long enough for me to get through my work over there.

Senator PATTERSON. But this was an important matter?

Admiral DEWEY. Evidently I did not consider it so. I did not make any comment, and so I evidently did not consider it of much importance. If I had considered it important, I think I would have commented upon it.

Senator PATTERSON. I am not asking you whether you considered that important; that is not the question, but simply what Aguinaldo was doing, and what information you and others had in that respect.

Admiral DEWEY. I knew what he was doing. I reported that his success had been wonderful. I saw that.

Senator PATTERSON. But the part I am getting at is immediately after landing, within four or five days, he announced in this public way, in proclamations, which you forwarded to the Secretary of the Navy, that they were there for the purpose of establishing a government of their own and that they were doing it under the protection and with the countenance of the American people. That is what these proclamations say, and to those statements you entered no protest at least?

Admiral DEWEY. No.

Senator PATTERSON. And knowing that that was his expectation and purpose?

Admiral DEWEY. No; I did not know it.

Senator PATTERSON. Having reason to believe, then, that was his expectation and purpose?

Admiral DEWEY. No; I did not believe that.

Senator PATTERSON. Do you believe in this proclamation he was uttering falsehoods to the Filipino people?

Admiral DEWEY. Yes; I do absolutely. I think he was there for gain—for money—that independence had never up to that time entered his head. He was there for loot and money. That is what I believe, since you ask me my belief; I believe that implicitly.

Senator PATTERSON. Nevertheless, Admiral, to gather around him the Filipino people to aid you, as you might need his aid, he made these statements to the Filipino people.

Admiral DEWEY. And I used them.

Senator PATTERSON. I know you did; we all got the benefit of them.

Admiral DEWEY. Yes.

Senator PATTERSON. I notice in your dispatch dated Cavite, May 20,

which announced the arrival of Aguinaldo, that you used this language. This was addressed to the Secretary of the Navy:

Aguinaldo, the rebel commander in chief, was brought down by the *McClellan*, organizing forces near Cavite, and may render assistance that will be valuable.

You believed that at the time you sent it to the Secretary of the Navy, did you not?

Admiral DEWEY. That he might render assistance which would be valuable?

Senator PATTERSON. Yes.

Admiral DEWEY. Yes; certainly.

Senator PATTERSON. On May 30, that is, under the dispatch dated Hongkong, May 30, which was sent from Cavite probably May 26 or 27——

Admiral DEWEY. Yes; about that time.

Senator PATTERSON (continuing). You sent this short dispatch to the Secretary of the Navy:

Aguinaldo, the revolutionary leader, visited the *Olympia* yesterday. He expects to make general attack on May 31. Doubt his ability to succeed. Situation remains unchanged.

Do you recall that visit?

Admiral DEWEY. Yes.

Senator PATTERSON. He came to tell you, did he, that he was going to make a general attack, and you——

Admiral DEWEY. Yes.

Senator PATTERSON. And you doubted his ability to succeed?

Admiral DEWEY. And he wanted me to assist him. He wanted me to tow one of his guns up into position. I knew he could not take the city; of course he could not.

Senator PATTERSON. Did you urge that he should not make the attack?

Admiral DEWEY. I do not remember that; very likely I did.

Senator PATTERSON. And was he not persuaded or restrained by you from doing so.

Admiral DEWEY. I do not remember; but it is very likely. I did not want to see a lot of them killed unnecessarily, because I knew they could not take that walled city. They had no artillery, and they could not take it, I knew very well, and I wanted the situation to remain as it was until our troops came to occupy it.

Senator PATTERSON. But you found that whenever you expressed a strong objection to anything being done at that time that Aguinaldo yielded to your request?

Admiral DEWEY. Up to the time the army came he did everything I requested. I had not much to do with him after the army came.

Senator PATTERSON. There had been considerable fighting between Aguinaldo's army and the Spaniards up to June 12, had there not?

Admiral DEWEY. Yes.

Senator PATTERSON. On the 12th of June you sent the following dispatch to the Secretary of the Navy:

There is little change in the situation since my telegram of June 3. *Insurgents* continue hostilities and have practically surrounded Manila. They have taken 200 Spanish prisoners whom they treat most humanely.

Do you recall that?

Admiral DEWEY. No; I do not; but of course it is true if I said it.

Senator PATTERSON. You found Aguinaldo, so far as his bearing——

you and his treatment of the Spaniards was concerned—his treatment of those he captured—an intelligent and humane and earnest man?

Admiral DEWEY. Yes, he was while under my observation at Cavite, where they had a large number of Spanish prisoners. They were kindly treated.

Senator PATTERSON. He had before Manila was taken as many as 9,000 Spanish prisoners in his possession, did he not?

Admiral DEWEY. I did not know that.

Senator PATTERSON. That many prisoners had been taken—

Admiral DEWEY. I am not surprised.

Senator PATTERSON (continuing). In and around Manila. Those you had turned over to him at Subig Bay and those that had been captured by his forces at other points than Manila, Spanish prisoners amounting to 9,000, and your testimony is that they were all treated by him humanely?

Admiral DEWEY. Those at Cavite; those were the only prisoners I saw. But as I stated yesterday, I heard of many acts of cruelty and oppression, particularly toward the friars. The Filipinos treated the friars very badly.

Senator PATTERSON. You did not communicate any cruelties or any misconduct on the part of Aguinaldo or the Filipino army prior to the taking of Manila to the Secretary of the Navy, did you, Admiral?

Admiral DEWEY. I do not recall having done it.

Senator PATTERSON. Indeed you had nothing but commendation for Aguinaldo and the Filipinos until you took Manila, did you?

Admiral DEWEY. If any cruelties took place away from Cavite, Aguinaldo was not responsible for them, of course.

Senator PATTERSON. So that he had about 9,000 prisoners. All that you had turned over to him were those that surrendered to Captain Coghlan, at Subig Bay?

Admiral DEWEY. About 800.

Senator PATTERSON. About 1,300 according to the dispatches.

Senator DEITRICH. Those prisoners were not turned over to Aguinaldo, were they, until after our land forces had arrived and were in possession of Manila?

Admiral DEWEY. Yes; that was in the early days and before the army came. I had a small force at the arsenal at Cavite, but only enough men to man my ships. So I could not take care of those 1,800—I thought the number was 800—prisoners. I should not have interfered in the matter if it had not been that there was another power interfering. Then I said, "Take them," and I turned them over to the Filipinos. I knew the officer that Aguinaldo sent down in command. He was Legarda, a very intelligent, educated, and humane man.

The CHAIRMAN. Is he the Legarda who is a member of the present commission?

Admiral DEWEY. I do not know. He was a tall man.

Senator BEVERIDGE. No; he is not the same man.

Admiral DEWEY. He got to be a colonel afterwards. Aguinaldo assured me he would treat them kindly, and he did so, as far as I know.

Senator BEVERIDGE. You say that there was another power there?

Admiral DEWEY. Germany. They were interfering there. I mentioned that in my testimony yesterday.

Senator PATTERSON. Secretary Long sent you a dispatch on June 14, 1898, saying:

WASHINGTON, June 14, 1898.

DEWEY (care American consul, Hongkong):

Report fully any conferences, relations, or cooperations, military or otherwise, which you have had with Aguinaldo, and keep informed the Department in that respect.

LOUIS.

In response to that you sent your telegram of June 27. You aimed in your dispatch to give the situation just as you saw it, and you expressed your views frankly and honestly?

Admiral DEWEY. As I believed then.

Senator PATTERSON. In that answer you said:

I have had several conferences with him—

Meaning Aguinaldo—

generally of a personal nature. Consistently I have refrained from assisting him in any way with the force under my command—

And so forth, omitting some for the sake of brevity —

At the same time, I have given him to understand that I consider insurgents as friends, being opposed to a common enemy.

Then again:

Aguinaldo has acted independently of the squadron, but has kept me advised of his progress, which has been wonderful.

Then again:

In my opinion—

Referring to the Filipinos—

these people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races.

That information was given in response to specific request made by the Secretary of the Navy upon you.

Senator CARMACK. I believe you said yesterday that you assisted Aguinaldo in organizing an army in the Philippines, encouraged him and that arms and munitions of war passed to him; that you gave him a few arms and assisted him and encouraged him to organize his force?

Admiral DEWEY. Yes; I believe that was the substance of it. I encouraged him.

Senator CARMACK. When he was a little despondent you encouraged him to try again?

Admiral DEWEY. Yes.

Senator CARMACK. At that time there were no American soldiers or land forces in the Philippines. Aguinaldo, of course, would have complete control over the forces as organized by him?

Admiral DEWEY. Yes.

Senator CARMACK. You, of course, could exercise no effective restraint on troops on land under Aguinaldo except through moral suasion. You had telegraphed in response to Consul-General Pratt to tell Aguinaldo to come as soon as possible, although I believe you did so before he got there. Now, this man, whom you say you assisted in organizing an army under his command, you regard as a common robber and plunderer?

Admiral DEWEY. No, I do not; I did not say I regarded him as a common robber.

Senator CARMACK. You say he went there solely for the purpose of plunder and pillage.

Admiral DEWEY. I believe that.

Senator CARMACK. That is your opinion?

Admiral DEWEY. Yes.

Senator CARMACK. And that was the man you assisted in organizing an army under his command—a robber and plunderer, a thief?

Admiral DEWEY. You know the old saying that all things are fair in war.

Senator CARMACK. Is that fair in war under the rules of war; is it regarded as according to the rules of warfare to assist a known plunderer and robber to organize forces in the enemy's territory where they can pillage without restraint and perpetrate whatever cruelties they please upon the inhabitants? Is that according to the rules of warfare?

Admiral DEWEY. I believe it is.

Senator CARMACK. You think so?

Admiral DEWEY. I think so, as I read history.

Senator CARMACK. That is, then, what you did? You assisted a robber and plunderer to organize forces to suit himself in an enemy's country?

Admiral DEWEY. I did not call him a robber and plunderer then; I called him the insurgent leader.

Senator CARMACK. That is what you called him, but a robber and plunderer is what you said he was.

Admiral DEWEY. I did not call him a robber and plunderer then.

Senator BEVERIDGE. He said he thought he was there for money and loot.

Senator CARMACK. Of course you called him the insurgent leader when you addressed him; you did not call him a robber or plunderer. Of course while you were getting the benefit of the robber's services you treated him as though he were a gentleman.

Admiral DEWEY. I think Senator Dietrich's question and my answer to it will explain my position. I said in reply to him that I thought he was there for money and loot.

Senator CARMACK. You said he was there for plunder and pillage.

Admiral DEWEY. For money and loot.

Senator BEVERIDGE. He said for money and loot.

Senator CARMACK. Plunder and pillage means the same thing. Here is my note of it: "Loot and money."

Admiral DEWEY. Do you think he was there for anything else?

Senator CARMACK. I do; yes.

Admiral DEWEY. I don't.

Senator CARMACK. Do you think your opportunities for understanding the character of Aguinaldo were better than those of General Otis?

Admiral DEWEY. I think on some things my judgment is better than that of General Otis.

Senator CARMACK. I am asking about your opportunities for obtaining knowledge.

Admiral DEWEY. I do not believe General Otis ever saw Aguinaldo, and I saw him many times.

Senator CARMACK. Did you learn from seeing him that he was a robber?

Admiral DEWEY. Yes; I judge a great deal about men by s them.

Senator DIETRICH. And honest men differ, do they not?

Admiral DEWEY. Of course. And I knew his history.

Senator CARMACK. Did you judge that from your conversation him?

Admiral DEWEY. Partly.

Senator CARMACK. Did you know his history better than General Bell?

Admiral DEWEY. I think I knew it better than any of the officers, because I was there on the spot. They had to learn it they came out there.

Senator BEVERIDGE. You were in daily communication with were you not?

Admiral DEWEY. Yes.

Senator CARMACK. I do not suppose he told you that he was a robber?

Admiral DEWEY. No; I saw it.

Senator CARMACK. From his manner?

Admiral DEWEY. No; I saw it in his actions.

Senator CARMACK. What actions, for instance?

Admiral DEWEY. He had not been there forty-eight hours before he began capturing everything he could lay his hands on.

Senator CARMACK. What?

Admiral DEWEY. Provisions, rice, and food.

Senator CARMACK. From the Spaniards?

Admiral DEWEY. From anybody.

Senator CARMACK. For the army or for himself?

Admiral DEWEY. He took the lion's share of it, I suspect.

Senator CARMACK. You suspect that; do you know whether he did or not?

Admiral DEWEY. He had nothing when he came there.

Senator CARMACK. What has he got now?

Admiral DEWEY. I fancy he is pretty well off.

Senator CARMACK. You fancy so; but do you know it?

Senator BEVERIDGE. You do know that he got several hundred thousand dollars from the Spaniards for deserting the insurrectionary cause?

Admiral DEWEY. Yes.

Senator CARMACK. Do you not also know that General Greene, General Whittier and Consul Williams and Consul-General Wilder investigated that and said that not one dollar of it had Aguinaldo personally used; that he held it as a sacred trust fund?

The CHAIRMAN. It is now 12 o'clock and we will have to adjourn and before we adjourn we want to hold a short executive session.

Senator CARMACK. If General Otis were to say and General Miles were to say that they regard Aguinaldo as personally honest in all matters, would that influence your opinion in regard to him?

Admiral DEWEY. Not the slightest.

Senator CARMACK. You do not know of a single dollar he dishonestly got, and yet you regard him as a thief?

Admiral DEWEY. I think I will not answer that.

(Thereupon, at 12 o'clock, the committee went into executive session at the conclusion of which it adjourned until to-morrow, Saturday, June 28, 1902, at 10.30 o'clock a. m.)

WASHINGTON, D. C., *Saturday, June 28, 1902.*

The committee met at 10.30 o'clock, a. m.

Present: Senators Beveridge (acting chairman), McComas, Dietrich, Carmack, Culberson, and Patterson.

STATEMENT OF ADMIRAL GEORGE DEWEY, U. S. N.—Concluded.

Senator CARMACK. I see it is reported in the newspapers that during the interval of twenty-four hours after the destruction of the Spanish fleet, the Spanish governor-general offered to surrender several times. I did not so understand your answer. What was your answer on that subject?

Admiral DEWEY. My answer was that during the interval between May 1 and the day of the surrender of the city—August 13—the Spanish governor-general sent word to me more than once. I will put it that way—that he would like to surrender to the Navy.

Senator PATTERSON. As near as you can recollect, when did he first send a request of that kind to you?

Admiral DEWEY. The first time he sent word by the English consul, who was taking messages between us, and he was very fearful that we were going to bombard the city.

Senator PATTERSON. That was how soon——

Admiral DEWEY. Well, the English consul died before the surrender of the city; I should say—I am guessing, you know—in May, before the end of May. Then afterwards, more than once, by the Belgian consul, M. Andre.

Senator PATTERSON. He did not become active in that, did he, until the middle of July?

Admiral DEWEY. About that time. I would like to say now that I said to the Belgian consul, "Why are you taking such an interest in the matter?" and he replied that all the property he had in the world was in Manila, and if the city was bombarded he would be ruined.

Senator PATTERSON. So that with the exception of the one instance of the English consul, to whom you have referred, who is now dead, there was no proposition of this kind made to you until the Belgian consul commenced in July?

Admiral DEWEY. My recollection is that the governor-general sent word to me several times that he would like to surrender to the Navy.

Senator PATTERSON. Was it in May or June that the English consul came to you with a proposition?

Admiral DEWEY. In May.

Senator PATTERSON. About what time in May?

Admiral DEWEY. I could not say; I have nothing to fix it.

Senator PATTERSON. What is your best recollection?

Admiral DEWEY. I would say some time in May, toward the latter part of May.

Senator PATTERSON. Aguinaldo had commenced his active offensive operations and had captured a number of Spanish prisoners by that time?

Admiral DEWEY. Yes.

Senator PATTERSON. And had stretched his lines around the city?

Admiral DEWEY. Yes. Well, he was working up toward the city then.

Senator PATTERSON. And it was then that this proposition came to surrender to the Navy?

Admiral DEWEY. Yes.

Senator PATTERSON. Now you may go on, Senator.

Senator CARMACK. Admiral, if I understood the nature of your testimony yesterday it was to the effect that all the trouble we have in the Philippines has arisen largely, or chiefly, from the evil influence and evil motives of Aguinaldo. Was that substantially your statement?

Admiral DEWEY. I do not remember making that statement; perhaps you could show it to me.

Senator CARMACK. I was not trying to quote your exact language but I thought that was the substance of your statement.

Admiral DEWEY. Will you repeat that?

Senator CARMACK. I gather that from the general testimony—

Admiral DEWEY. Will you state that again?

Senator CARMACK. The trouble we have had in the Philippines been due chiefly to Aguinaldo—to his evil motives?

Admiral DEWEY. I won't say that. I will repeat what I did say that I believe if we had 5,000 troops with us on the 1st of May city would have surrendered to us, we would have taken possession then, and we would have had no trouble with the natives. I do know how soon we might have had trouble, but not then. They were our friends then. They were so grateful to us for liberating them I think they would have accepted us. That is my judgment.

Senator CARMACK. That there was a feeling of friendship and gratitude among the natives?

Admiral DEWEY. Yes. I don't know how long it would have continued; perhaps the insurrection was bound to break out, but there was no insurrection then, and I think they would have accepted us. I think so.

Senator CARMACK. You said yesterday—of course, I am not giving your exact language now, but I think this is the substance of it—Aguinaldo's only object was loot and money.

Senator PATTERSON. He said he believed that was his object.

Senator CARMACK. That that was your opinion of Aguinaldo's object in the insurrection—that his only object was loot and money?

Admiral DEWEY. And that I did not believe he expected independence when he went there.

Senator CARMACK. Do you think, then, that he fomented the trouble we have had with the Philippines from mercenary motives? You say something about his having a desire to get money by selling out again or something like that.

Admiral DEWEY. We always say "Aguinaldo." I think, as a matter of fact, Aguinaldo played a very small part in the insurrection. I think he was a figurehead. He was surrounded by men of brains and ability who did the work. One of his ablest men, Luna, he had assassinated; at least it was reported that Aguinaldo had him killed. I think Mabini and a number of those men superior to Aguinaldo.

Senator PATTERSON. We are speaking of him as the head representative of the Philippine government. That is what he was, of course.

Senator BEVERIDGE (acting chairman). The Admiral did not say that. That is your testimony.

Senator CARMACK. Of course he was the acknowledged head. There is no question about that.

Senator BEVERIDGE. Senator Patterson made the statement "We are speaking of him as the head representative of the Philippine government."

government." In the first place, it does not appear that there was any such government there.

Senator CARMACK. Reference was made yesterday to the alleged fact that Aguinaldo had before betrayed his people for money. Did you mean in your answer yesterday to indorse that accusation?

Admiral DEWEY. It was generally reported that that was the fact. Of course all these matters are hearsay. Aguinaldo never told me anything about it, but that was the general report in the East.

Senator CARMACK. At what time?

Admiral DEWEY. After he became prominent in the second insurrection.

Senator CARMACK. Do you not know that that was emphatically denied by our American officers there, and by our American consul at Manila?

Senator BEVERIDGE. What was denied?

Senator CARMACK. That he had betrayed his people for money.

Admiral DEWEY. I do not remember of this having been denied. Did Mr. Wildman deny that?

Senator CARMACK. Consul Williams at Manila.

Admiral DEWEY. If I saw his denial, it has escaped my memory.

Senator BEVERIDGE. His denial as to facts or his opinion?

Senator CARMACK. He simply states it in one of his letters to the State Department.

Senator PATTERSON. May I read what General Greene said about that?

Senator CARMACK. I was going to refer to that.

Senator PATTERSON. This is in the statement prepared by General Greene at the request of the Government for the Commission at Paris. We were then negotiating the treaty of peace in Paris.

Senator BEVERIDGE. How long is that?

Senator PATTERSON. Not very long.

Senator BEVERIDGE. General Greene is in New York and accessible to the committee, and I hardly think it is fair in an examination of Admiral Dewey to put into the record, not even as a part of the question, a long excerpt from something that was written by General Greene, when General Greene is accessible to the committee.

Senator PATTERSON. It is not long; it is Senate Document No. 62.

Senator BEVERIDGE. You ask him his opinion, and then you are confronting him by something else that was written by somebody who is accessible to the committee.

Senator PATTERSON (reading). From page 421 of Senate Document No. 62, Fifty-fifth Congress, third session:

"In August, 1896, an insurrection broke out in Cavite under the leadership of Emilio Aguinaldo, and soon spread to other provinces on both sides of Manila. It continued with varying successes on both sides, and the trial and execution of numerous insurgents, until December, 1897, when the governor-general, Primo de Rivera, entered into written agreement with Aguinaldo, the substance of the document, which is in possession of Senor Felipe Agoncillo, who accompanies me to Washington, being attached hereto and marked 'A.' In brief, it required that Aguinaldo and the other insurgent leaders should leave the country, the Government agreeing to pay them \$500,000 in silver, and promising to introduce numerous reforms, including representation in the Spanish Cortes, freedom of the press, general

of course by paying him \$50,000.

Then he goes on and tells about the Spaniards not having carried out the reforms.

Senator BEVERIDGE (acting chairman). Now you had proceeded with the question.

Senator CARMACK. Have you ever had your attention called to the facts set forth in that statement of General Greene?

Admiral DEWEY. I don't remember it; I do not think I have read that. If Agoncillo told him that I do not think it is his authority.

Senator PATTERSON. He makes this statement as a fact.

Senator CARMACK. I will ask you if you remember a statement by Consul Williams in which he spoke of this story and said that an effort was being made by the Spanish to blacken the reputation of Aguinaldo, and referred to this story in connection with it as a story put abroad by the Spanish in order to destroy his character and destroy his influence. Have you heard anything of that sort?

Admiral DEWEY. No.

Senator CARMACK. Do you know that Aguinaldo's character was a matter of inquiry before the Paris Peace Commission and that the witnesses were examined on that question?

Admiral DEWEY. No; I do not. I have not had the leisure to read those proceedings; I never read those proceedings. I remember coming up, but not the proceedings.

Senator BEVERIDGE. I do not know how the other members of the committee feel, but I do not feel that it is competent to examine Admiral Dewey as to what witnesses said before the Paris Peace Commission. It is competent to ask him as to facts within his knowledge, or opinions he may have derived from those facts. Aguinaldo——

Senator CARMACK. Admiral Dewey is not testifying as to his knowledge, but——

Senator CARMACK. I do not think the Chair means any harm by it.

Senator BEVERIDGE. No; I never mean any harm, but I do not think the committee would say that it is within the scope of the committee to examine Admiral Dewey as to what was testified by different people who appeared before the Peace Commission and testified about Aguinaldo. The Admiral has testified as to his own personal observations of Aguinaldo.

Senator CARMACK. My only idea was this: I questioned him in regard to the sources of his information in regard to Aguinaldo, and he said it was hearsay.

Admiral DEWEY. You mean about his looting?

Senator CARMACK. No; about this particular transaction of his having betrayed his people for money.

Admiral DEWEY. Yes.

Senator CARMACK. And he said that was hearsay, and that he had derived it from - -

Admiral DEWEY. Common report.

Senator CARMACK. And I wanted to call his attention to the fact that other statements had been made by others to the contrary. I asked him if he had occasion to investigate the facts that they set forth.

Senator BEVERIDGE (acting chairman). I think it is proper for you to ask him what the current rumor was and then he can state it and let it stand on its own basis, and then of course if you have anything to refute that -

Senator CARMACK. If I can show contrary statements from men of high authority, contradicting this, it may change the Admiral's opinion.

Senator BEVERIDGE. From that point of view, I do not know that I will make any objection, if you think you can change the Admiral's opinion.

Admiral DEWEY. I do not think it makes any difference what my opinion is on these things.

Senator PATTERSON. There is no man whose opinion goes further with the country than yours does, Admiral, and therefore I think you ought to be very prudent in expressing your view.

Senator BEVERIDGE (acting chairman). The chairman will not permit any member to lecture Admiral Dewey on his prudence or his imprudence.

Senator PATTERSON. I was not lecturing him.

Senator BEVERIDGE. Yes; you said he ought to be prudent.

Senator PATTERSON. And I think it was well enough to suggest those things.

Senator CARMACK. You said yesterday you suspected that Aguinaldo took the lion's share of the provisions that were gathered for the army. What was the ground upon which you made that accusation?

Admiral DEWEY. Because he was living in Malolos like a prince, like a king, in a way that could only have come about by his taking the lion's share. Then, in regard to his looting, I repeat what I said yesterday. He began within forty-eight hours after he landed in Cavite to capture and take everything he wanted. I know these things of my own knowledge, because I saw the loot brought in; and I know that every dollar that was taken from the workingmen at the navy-yard was taken at the threat of death.

Senator CARMACK. You say that began immediately?

Admiral DEWEY. Yes; within forty-eight hours. Now, it seems a

little ungrateful in me to say this; but you have asked me, and I consider that I am under honor to tell the truth. I know these things. For example, he would send me for my ships a herd of cattle that he captured. He did not have any money when he landed.

Senator BEVERIDGE. He captured these cattle from his own people?

Admiral DEWEY. Indiscriminately. There was a reign of terror there. I know these things; it is not hearsay.

Senator CARMACK. Was there any official report, any statement of that, made at the time?

Admiral DEWEY. No. That is war.

Senator CARMACK. Was not the contrary statement made? You spoke in your report about his treating the prisoners kindly and humanely.

Admiral DEWEY. Yes; he did.

Senator CARMACK. And I think it was Consul Williams writing to you what was going on there, and said he had restrained the men from pillage and plunder?

Admiral DEWEY. Yes. I do not know what Mr. Williams said; I am not responsible for him, but I am speaking of what I know myself. This army—I call it an army, this mob—began to assemble there; of course it was an undrilled mob. They had to be fed and clothed, and he did as other leaders of armies have done before him, he made the country support them.

Senator CARMACK. He made the country support the army?

Admiral DEWEY. Yes.

Senator CARMACK. You regard that simply as pillage and loot?

Admiral DEWEY. We call it that. We did not do that way. That is, I took provisions with me for my men.

Senator CARMACK. But he did not have provisions.

Admiral DEWEY. We took coal. I captured a lot of coal in the harbor from different vessels. There were a good many neutral vessels there laden with coal when we went in. I took the coal; it belonged to English ships and German ships and others. We paid them for it for every dollar's worth.

Senator PATTERSON. Is that what you mean when you say he looted—that he made reprisals for his army, took provisions and whatever was necessary? That is what you meant?

Admiral DEWEY. That is one part of it.

Senator CARMACK. This was taking provisions for the use of the army?

Admiral DEWEY. That is one thing he did.

Senator CARMACK. You said you did not object to that at the time.

Admiral DEWEY. No. It would have been useless; he got away from me very soon—he got out of my hands very soon.

Senator CARMACK. Did you not say something to the effect since looting and pillaging taking place in the interior for which Aguinaldo was not responsible?

Admiral DEWEY. Yes; that I heard. I used to hear of that, and of great acts of cruelty.

Senator CARMACK. Do you remember a report of Wilcox and Sergeant which you commended—their trip to the interior of the island—their statement as to conditions, as they found them?

Admiral DEWEY. Yes; a very interesting report. They were naval officers.

Senator CARMACK. Do you think this was a true report of the conditions in the islands?

Admiral DEWEY. I have no reason to doubt their word. They made this report, an official report as they found things.

Senator CARMACK. You commended it, did you not?

Admiral DEWEY. I commended their action more particularly. They displayed a good deal of enterprise; they were in great danger.

Senator CARMACK. Do you not remember their report was that the conditions throughout the islands were peaceable, and that the people were contented and happy?

Admiral DEWEY. I remember they were under a military guard wherever they went.

Senator CARMACK. But their statement as to the conditions as they found them. I call your attention to this statement of General Whittier in the Paris Peace Commission:

"Their conduct to their Spanish prisoners has been deserving of the praise of all the world. With hatred of priests and Spaniards, fairly held on account of the conditions before narrated, and with every justification to a savage mind for the most brutal revenge, I have heard no instance of torture, murder, or brutality since we have been in the country."

General Otis declared in his testimony that in his opinion Aguinaldo, in money matters, was an honest man. Do you think you had better opportunities for judging his character than General Otis?

Admiral DEWEY. I think so. As I said, I do not think General Otis ever saw him.

Senator CARMACK. General Bell was commended to the peace commission by General Greene as a man who knew the Filipinos from Aguinaldo down. General Bell testified that Aguinaldo was honest, sincere, and poor. Do you think your opportunities for knowing him were better than those of General Bell?

Admiral DEWEY. General Bell has a right to his opinion. I do not question —

Senator CARMACK. I was asking you about your relative opportunities for forming a correct opinion.

Admiral DEWEY. I stated yesterday that I saw Aguinaldo in the beginning when he came there; I saw him almost daily; I don't know how many times, but many times, and I judged of the man. We were dealing with rather important subjects. I considered him then a man of no ability at all.

Senator CARMACK. General Greene and, I believe, General Whittier also, testified as to Aguinaldo's honesty. Do you think they had fair opportunities

Admiral DEWEY. I would rather not answer these questions; these gentlemen are all friends of mine.

Senator CARMACK. I am asking of your knowledge and your opportunities to form a correct opinion.

Admiral DEWEY. I would simply give my own opinion; I would rather not criticise their opinion.

Senator BEVERIDGE (acting chairman). You do not have to give any expression whatever which in your own mind would fall as a criticism of any brother officer in the Army or Navy.

Senator CARMACK. And before?

Admiral DEWEY. Yes; but Aguinaldo was not there then.

Senator CARMACK. But some of these statements in regard to Aguinaldo were made before the war broke out.

Admiral DEWEY. I did not know that.

Senator BEVERIDGE. Was Aguinaldo there before the war broke out? I thought he was in Hongkong.

Senator CARMACK. No; I was speaking of how he was regarded by the people of Manila, including the foreign residents, and how he spoke in the highest terms of his honesty and character. General Williams had an opportunity to know what the people thought of him.

Admiral DEWEY. I do not think they knew much about him. I think he was a writer in the navy-yard at Cavite, a low position.

Senator CARMACK. Dr. Schurman, president of the first Philippine Commission, also expressed the opinion that Aguinaldo was a man of money matters.

Admiral DEWEY. I don't think he saw him.

Senator CARMACK (continuing). While evidently prejudiced against him in many respects. General MacArthur also spoke of him in a complimentary way. He said: "My relations became friendly with Aguinaldo and I hold him in very high esteem." It seems to be a sort of consensus of opinion among leading representatives of the United States, both in the army and navy, and about Manila, that Aguinaldo was at least an honest man, doing his best.

Admiral DEWEY. It would not change my opinion whatever. You have asked me for my opinion and I have given it. I want to give it.

Senator PATTERSON. You labor under a mistake about me. I volunteered the statement that in your opinion Aguinaldo was a man for loot and money.

Admiral DEWEY. No; I beg your pardon. The question was asked me.

pine Islands to be the leader of the people in an insurrectionary movement was a man who recently betrayed his people for a bribe?

Admiral DEWEY. I did not catch the first part of your question.

Senator CARMACK. I say is it a fact, do you think that the man you took to the Philippine Islands to be the leader of the people in an insurrectionary movement was a man who, as you believed, had but recently betrayed them for a bribe?

Admiral DEWEY. I think that would not make any difference, whatever he did; it was a reign of terror during this time; it was a reign of terror absolutely.

Senator CARMACK. But you wanted a man there who could rally the people, call them to arms and accept his leadership, and the man you put forward was the very man who but a short time before had betrayed them for money?

Senator BEVERIDGE (acting chairman). Of course it is only proper to Admiral Dewey to say that in putting that question, "You wanted a man who could rally the people to his standard," and so on, you are putting in not what he expressed.

Senator CARMACK. He can answer the question in his own way.

Senator BEVERIDGE (acting chairman). But it is proper to call his attention to that.

Senator CARMACK. You did want a man there who could organize and rouse the people?

Admiral DEWEY. I didn't want anybody. I would like to say now that Aguinaldo and his people were forced on me by Consul Pratt and Consul Wildman; I didn't do anything——

Senator CARMACK. Did they have any power to force him upon you?

Admiral DEWEY. Yes; they had in a way. They had not the official power, but one will yield after a while to constant pressure. I did not expect anything of them; I did not think they would do anything. I would not have taken them; I did not want them; I did not believe in them; because, when I left Hongkong, I was led to suppose that the country was in a state of insurrection, and that at my first gun, as Mr. Williams put it, there would be a general uprising, and I thought these half dozen or dozen refugees at Hongkong would play a very small part in it.

Senator CARMACK. Then by helping Aguinaldo arm and organize a force, knowing his character as you did, you placed the whole country and its people at the mercy of a man who had no higher object than to get rich by plundering them or betraying them, when, as a matter of fact, you had no need at all for their services?

Senator McCOMAS. That is an assumption and not a question.

Admiral DEWEY. I am not a lawyer; I can not debate with you, Senator.

Senator CARMACK. I want to get at your meaning. You said you had no need for Aguinaldo and his forces, but you did aid and assist him, did you not, in organizing an army, and when he grew despondent you urged him to continue his efforts to organize the army, and you assisted him and encouraged him to organize an army, knowing the character of the man?

Admiral DEWEY. No, I did not know it then; I did not know his character.

Senator McCOMAS. That is, in my judgment, not proper. Admiral Dewey is here as a witness to give his testimony.

Senator MCCOMAS. I do not mean to interfere in the question—

Senator CARMACK. I think it is entirely proper and strictly in the lines of the Admiral's testimony.

Senator MCCOMAS. But he ought to be asked questions which ought not to be put to him.

Senator CARMACK. You said you had no need of Aguinaldo's army?

Admiral DEWEY. Did I say that?

Senator CARMACK. You said you had no need of Aguinaldo's army.

Admiral DEWEY. That is quite different from did not want them.

Senator CARMACK. Could get along better without them?

Admiral DEWEY. Yes; we know that now.

Senator CARMACK. Then you did not need them?

Admiral DEWEY. Well; I did not want them.

Senator CARMACK. Then it is a fact, is it not, that you told Aguinaldo that you would aid him in the Philippines, aided him and encouraged him to organize an army over which you were to have little or no control, a man whose higher object than to get rich by plundering the people of the Philippines was organizing them?

Admiral DEWEY. I won't answer that; I am not going to answer that.

Senator CARMACK. Very well; you decline to answer that. You say you did not know at the time that Aguinaldo was a man?

Admiral DEWEY. I did not know anything about him. I did not know him at that time. I permitted him to come; I did not take him, but I did not prevent him from coming; I did not know about him then.

Senator CARMACK. Did you encourage him to organize an army?

Admiral DEWEY. Well, yes; I did to a certain extent: I gave him a few arms; I did encourage him.

Senator BEVERIDGE (acting chairman). You are generally fair, and you know that I think so, but I call your attention to this, that Admiral Dewey stated that he did not know the facts that led him to his present and former opinion about Aguinaldo until after he had come there, until after he had landed and gotten the arms and begun these depredations and style of living which led to his conclusion. So you see your question is hardly fair; it does not put the thing in the proper light to the Admiral, in view of his testimony.

Senator CARMACK. Did you not say a while ago that the statement as to Aguinaldo's character and his betrayal of his people was current talk all through the East?

Admiral DEWEY. Yes; after he became prominent.

Senator CARMACK. You said when he became prominent in the insurrection. He had been prominent in the insurrection before our war with Spain began.

Admiral DEWEY. That I did not know about. This prominence came out afterwards. Even in Hongkong we hardly knew anything about what was going on in the Philippines. Before I sailed we could not get any information as to the Philippines. There would be rumors of insurrections, but we could not find out anything definite. I knew very little about Aguinaldo; in fact, I hardly knew anything about him.

Senator CARMACK. When did you first learn that his only object in the insurrection was to loot and sell out his country for money?

Admiral DEWEY. I have said two or three times that he began looting within forty-eight hours after his arrival; that he began capturing everything in sight. I began to form my opinion of him then. They looted the town of Cavite; they cleaned out everything. It was quite a large town, and he and his so-called army looted it. I believe you have been in the Philippines?

Senator CARMACK. No; I have not.

Admiral DEWEY. Well, honesty did not go very far there.

Senator CARMACK. I am not going there at all.

Admiral DEWEY. Well, it does not count much; their schooling has been bad.

Senator PATTERSON. And when Aguinaldo came there did he ever talk to you on the basis of selling out?

Admiral DEWEY. No.

Senator PATTERSON. Did he ever ask you for money?

Admiral DEWEY. Yes.

Senator PATTERSON. Give us that occurrence, whatever it was.

Admiral DEWEY. He wanted a bill of exchange—let me correct that.

Senator PATTERSON. Yes, sir.

Admiral DEWEY. He wanted to exchange Mexican dollars for gold; he wanted me to give him gold for Mexican dollars.

Senator PATTERSON. That was an exchange of funds.

Admiral DEWEY. I was pretty sure in my own mind where he had gotten those Mexican dollars; he had not brought them in with him when he came, and I thought from the fact that he wanted to put that money into gold that he was getting ready to leave.

Senator BEVERIDGE. He could not use the gold for disbursements among the troops or purchase of supplies; the silver would answer that purpose better.

from you:

Admiral DEWEY. No.

Senator BEVERIDGE. He probably knew he would not you.

Senator PATTERSON. But nevertheless——

Admiral DEWEY. He never asked it. The understanding was that we had a common enemy in Manila and that

Senator PATTERSON. And you told him——

Admiral DEWEY. To go ahead.

Senator PATTERSON. To gather his army?

Admiral DEWEY. Yes.

Senator PATTERSON. In the collection of his army, as the in, it became absolutely necessary to have commissary stores did it not?

Admiral DEWEY. Oh, they had to feed them.

Senator PATTERSON. He had no treasury behind him?

Admiral DEWEY. Not when he arrived.

Senator PATTERSON. Nor was he furnished with any treasure Government of the United States?

Admiral DEWEY. No; not while I was in command.

Senator PATTERSON. Not that you have any knowledge

Admiral DEWEY. No.

Senator BEVERIDGE. Notwithstanding this, he lived in magnificence, as you have described?

Admiral DEWEY. Yes.

Senator PATTERSON. I suggest you allow me to proceed

Senator BEVERIDGE. I will; but I think it is pertinent in there.

Senator PATTERSON. I understand that. He established quarters?

Admiral DEWEY. First at Cavite.

Senator PATTERSON. And when did he establish them at

Admiral DEWEY. After our troops came.

Senator PATTERSON. Was it at Malolos that he lived in cence, as you have described?

Admiral DEWEY. Yes. He had a chariot and four, and hundred pieces, and everything in the grandest style.

Senator PATTERSON. That was very well calculated to respect the Filipinos he gathered to his standard, and to the feeling that there was something substantial behind it

Admiral DEWEY. It inspired them more than it inspired whom he had taken the money to maintain this magnificence

Senator PATTERSON. Do you think those innuendos are just and proper?

Admiral DEWEY. I do.

Senator BEVERIDGE (acting chairman). I do not know whether any Senator objects, but I will frankly say that such a question as that the chair will rule is not proper and that it is discourteous.

Senator PATTERSON. It is not.

Senator BEVERIDGE. The chair thinks it is.

Senator PATTERSON. I will let the record stand to show that the question is perfectly proper and perfectly justifiable.

Senator BEVERIDGE. And you will also let the record state what the opinion of the chair is upon that subject.

Senator PATTERSON. I don't care what the opinion of the chair is.

Senator BEVERIDGE. And I will not permit the question to be put.

Senator PATTERSON. Do you know that Aguinaldo has a dollar to-day?

Admiral DEWEY. No; how should I know it? I have not been there for three years.

Senator PATTERSON. Do you know, Admiral, from common experience that there was never a day when Aguinaldo might not, right from the Government of the United States, have made himself very rich if he had not continued, or if he would have given up the effort he was making for the independence of his people?

Admiral DEWEY. I won't answer that question. Of course I don't know. How could I know that?

Senator PATTERSON. You do know that a number of those that were with Aguinaldo got fat offices?

Senator BEVERIDGE (acting chairman). Will the stenographer read that last question?

The stenographer read as follows:

"Do you know, Admiral, from common experience, that there was never a day when Aguinaldo might not, right from the Government, have made himself very rich if he had not continued or if he would have given up the effort he was making for the independence of his people?"

Senator BEVERIDGE. Your question goes into the record there, and therefore the Chair will not permit it to go into the record without an expression of opinion from the Chair simply to the effect that the reflection contained in the question—the statement in that question that the Government of the United States would at any time, if Aguinaldo had been willing, have bribed him or purchased him—is not a proper question to be put before this committee or any place else; but of course my opinion can only be expressed as to the committee. I take it that Admiral Dewey not only does not know, but that no officer believes, and the Admiral may correct me if he thinks the Government of the United States was at any time prepared to purchase Aguinaldo by money.

Senator PATTERSON. Do you know, Admiral, that a number of those who were with Aguinaldo have been given good, fat offices by the United States over there?

Admiral DEWEY. No; I do not know that.

Senator McCOMAS. You have not been there for three years?

Admiral DEWEY. No.

can troops?

Admiral DEWEY. Yes.

Senator PATTERSON. And he immediately put himself in communication with you, did he not?

Admiral DEWEY. Yes.

Senator PATTERSON. And simply practically awaited the other troops for operations to commence?

Admiral DEWEY. Yes.

Senator PATTERSON. He consulted with you, did he not? What steps he took, before the arrival of General Merritt?

Admiral DEWEY. Yes. He was ashore at Cavite at the time, and I was afloat. We were in constant communication. I was giving whatever assistance I could.

Senator PATTERSON. Now, Admiral, do you not know that on the 6th of July General Anderson addressed a letter to Aguinaldo in this language—

Senator BEVERIDGE. Do you know of any letter being sent to your personal knowledge?

Admiral DEWEY. Perhaps if I heard it I might recognize it without hearing it.

Senator PATTERSON. General Anderson would not have had any official communication with Aguinaldo at that time, as early as the 6th of July, without consulting with you?

Admiral DEWEY. That does not follow.

Senator PATTERSON. In any event, there was a letter from General Anderson to Aguinaldo, dated Cavite Arsenal, July 6th, containing this paragraph:

"It must be apparent to you that we do not intend to remain inactive, but to move promptly against our common enemy. In a short time we must organize and land supplies, and also require for storing them near our fleet and transports."

Senator McCOMAS. What document are you reading from?

Senator PATTERSON. Senate Document No. 208. You will find the edge of that letter?

Admiral DEWEY. Yes; I think I remember that letter.

Senator PATTERSON. Also his letter of the 4th of July to Señor Don Emilio Aguinaldo, commanding the Filipino forces in Luzon, in which this paragraph appears:

"For these reasons I desire to have the most amicable relations with you, and to have you and your people cooperate with our military operations against the Spanish forces."

You had knowledge of that, did you not?

Admiral DEWEY. I do not know whether he read that letter to me, but when I found he was writing letters I advised him he had better not write them.

Senator PATTERSON. You can look at these.

Admiral DEWEY. I do not indorse that letter, and I would not have indorsed it at the time. I do not think he read me that. He read me a letter in which he had asked Aguinaldo for some horses and something. General Anderson did not confer with me about the matter. He was quite independent of me. He went his own way and I did not consult him.

Senator PATTERSON. This was a letter that was written almost immediately on the arrival of General Anderson.

Admiral DEWEY. I remember saying that if I were he I would not write any letters.

Senator CARMACK. Mr. Chairman, I would like to correct a mistake in one of my questions. When I spoke a while ago about a statement of Consul Williams, it should have been Consul Wildman, giving the same statement.

The CHAIRMAN. The correction can be made in the record.

Senator PATTERSON. I read this letter from Consul-General Wildman to the Secretary of State at Washington:

"There has been a systematic attempt to blacken the name of Aguinaldo and his cabinet on account of the questionable terms of their surrender to Spanish forces a year ago this month. It has been said that they sold their country for gold——"

Admiral DEWEY. What date was that—July, 1898?

Senator PATTERSON. Yes. I will read it again:

"There has been a systematic attempt to blacken the name of Aguinaldo and his cabinet on account of the questionable terms of their surrender to Spanish forces a year ago this month. It has been said that they sold their country for gold, but this has been conclusively disproved, not only by their own statements, but by the speech of the late Governor-General Rivera, in the Spanish Senate, June 11, 1898. He said that Aguinaldo undertook to submit if the Spanish Government would give a certain sum to the widows and orphans of the insurgents. He then admits that only a tenth part of this sum was ever given to Aguinaldo, and that the other promises made he did not find it expedient to keep."

Admiral DEWEY. Constant rumors; yes.

Senator PATTERSON. Those rumors you have not heard contradicted authoritatively?

Admiral DEWEY. No; that is the first time I have seen it.

Senator PATTERSON. Now, in the face of these authoritative denials, would you modify your statement as to the purpose, in your judgment, that brought Aguinaldo to Manila?

Admiral DEWEY. Oh, no; I can not change my opinion.

Senator PATTERSON. Consul Williams, of Manila, on the 16th of June, 1898—quite early, you see—wrote as follows to the Secretary of State:

"While the Spaniards cruelly and barbarously slaughter Filipinos taken in arms, and often noncombatants, women and children, the insurgent victors, following American example, spare life, protect the helpless, and nurse, feed, and care for Spaniards taken prisoners and

for Spanish wounded as kindly as they care for the wounded fallen from their own ranks."

Would you indorse that statement?

Admiral DEWEY. I stated that he treated them humanely as far as came under my observation.

Senator CARMACK. You remember when General Miller was threatening to bombard Iloilo a petition from foreign residents requesting him not to do so, and saying that they were being protected properly by the insurgent forces, was sent to him?

Admiral DEWEY. I was not at Iloilo; although a portion of my squadron was there, and I do not remember that; in fact, I do not know that I would know it.

Senator CARMACK. You said that you did not dip your flag to the Filipino flag. Would that come under the head of what they call military or naval courtesy—to dip a flag?

Admiral DEWEY. No, we never dip our flag unless in reply to that courtesy from some other ship. That is one of the articles of war; we never can dip our flag to any flag of any nation unless it first dips to us. And they had no flag; this was a little thing they flew.

Senator CARMACK. I know it was a little flag.

Admiral DEWEY. We never dip our flag, no——

Senator CARMACK. What was the design of the flag?

Admiral DEWEY. Blue and white; something like the old Texas flag, as I remember it. No, I do not know that it consisted of a star; it was more like a yacht club's pennant.

Senator CARMACK. The dignity of the flag does not depend on its size?

Admiral DEWEY. It was more like one of these little things that yachts fly, like a yacht-club pennant. That is what they flew.

Senator CARMACK. I find that General Anderson on July 18, writing to the Adjutant-General of the Army, said, referring to Aguinaldo and his army:

"We have observed all official military courtesies and he and his followers expressed great admiration and gratitude to the great American Republic of the North."

What do you understand by observing all official military courtesies?

Admiral DEWEY. What is the date of that letter?

Senator BEVERIDGE. Who said that, Anderson or Aguinaldo?

Senator CARMACK. General Anderson.

Senator BEVERIDGE. He used the words "the great North American nation."

Senator CARMACK. He says "the Filipinos." This is the exact language: "We have observed all official military courtesies and he—referring to Aguinaldo—"and his followers express great admiration and gratitude to the great American Republic of the north," and so forth.

Admiral DEWEY. I do not know what he meant by that. General Anderson and I went to see Aguinaldo, who was outside the walls that day. I said to General Anderson, "Do not take your sword or put on your uniform, but just put on your blouse. Do not go with any armor." We went in that way.

Senator PATTERSON. On July 21 General Anderson wrote to the Adjutant-General of the United States Army in reference to yet

follows. In the first part of his letter he tells of the announcement by Aguinaldo of his dictatorship, and then says:

"It may seem strange that I have made no formal protest against his proclamation as dictator, his declaration of martial law, and publication and execution of a despotic form of government. I wrote such a protest, but did not publish it, at Admiral Dewey's request."

Do you recollect that?

Admiral DEWEY. No; I really do not remember it.

Senator PATTERSON. If you requested him not to publish a protest against his assumption of the government, would you not recall what reason induced you to do so?

Admiral DEWEY. No, sir. I notice I sent the proclamation to Washington without comment, making light of it; that was my idea, not taking it seriously.

Senator PATTERSON. You would not take issue with General Anderson on that?

Admiral DEWEY. No; if he says it is so, I suppose it must be so, although I am surprised that he should have asked me, because he was absolutely in command on shore.

Senator PATTERSON. He did not say he asked you. What he said is he wrote such a protest, but did not publish it at Admiral Dewey's request.

Admiral DEWEY. I do not remember this. It would have been better if he had published it, perhaps, as things have turned out.

Senator PATTERSON. Were you aware of this: That Aguinaldo addressed a letter to General Anderson dated August 14, in which he commences this way:

"General Anderson"—

Admiral DEWEY. I have read it; I did not know anything about it at the time, of course.

Senator PATTERSON (reading). "My troops that have been so long besieged at Manila have always been promised that they would appear in it, as you know and can not deny"—

Admiral DEWEY. General Merritt—

Senator PATTERSON (continuing). And that was not denied?

Admiral DEWEY. I knew nothing about it at the time. My attention was called to that letter because General Merritt was there, and I am surprised that he let one of his subordinates write such a letter. There would have been a court-martial in the Navy if it had occurred in the Navy; if one of my captains had written a letter like that, there would have been a court-martial.

Senator PATTERSON. You made a visit to Aguinaldo with General Anderson, I believe?

Admiral DEWEY. Yes.

Senator PATTERSON. Do you recollect about when that visit was made?

Admiral DEWEY. Shortly after he came—within a very few days after his arrival.

Senator PATTERSON. This is the account given of that visit by General Anderson in an article published in the North American Review.

Senator BEVERIDGE. Were you present at this time?

Admiral DEWEY. We went together on that visit, yes; that is the only visit that General Anderson and I made on Aguinaldo in company.

Senator PATTERSON. General Anderson says:

"On the 1st of July, 1898, I called on Aguinaldo with Admiral Dewey. He asked me at once whether the United States of the North either 'had recognized' or 'would recognize' his government—I am not quite sure as to the form of his question, whether it was 'had' or 'would.' In either form it was embarrassing. My orders were in substance to effect a landing, establish a base, not go beyond the zone of naval cooperation, to consult Admiral Dewey, and to wait for Merritt."

Do you recollect that?

Admiral DEWEY. No.

Senator PATTERSON (continuing to read). "I told him I was only acting in a military capacity; that I had no authority to recognize his government; that we had come to whip the Spaniards, and that if we were successful the indirect results would be to free them from Spanish tyranny. I added that, as we were fighting a common enemy, I hoped we would get along amicably together." Do you recollect that?

Admiral DEWEY. Those were my own views; and I have no doubt he said that.

Senator PATTERSON. I am asking you whether you recall the conversation.

Admiral DEWEY. Well, we were there together. The particular thing that I remember is that General Anderson offended Aguinaldo by his questions.

Senator PATTERSON. That answer was in response to the question of Aguinaldo whether the United States of the North——

Admiral DEWEY. I can not indorse that article. That was four years ago.

Senator PATTERSON. But I am asking you whether you recall the question of Aguinaldo?

Admiral DEWEY. No; I do not. We talked through an interpreter, and we had quite a long conversation.

Senator PATTERSON. You seem to recollect General Anderson's answer, but you do not recollect the question of Aguinaldo.

Admiral DEWEY. He probably got this from me. Those were my ideas absolutely, and General Anderson, who arrived there probably, had accepted my ideas.

Senator PATTERSON. But you and he were there together?

Admiral DEWEY. Yes.

Senator PATTERSON. And Aguinaldo asked him a question and he says he gave this reply?

Admiral DEWEY. I do not remember. I will say that I do not remember it.

Senator PATTERSON. This is the statement made by General Anderson as to his relations with you when he got there. This is from the North American Review article [reading]: "My orders were, in substance, to effect a landing, establish a base, not to go beyond the zone of naval cooperation, to consult Admiral Dewey, and to wait for Merritt."

Admiral DEWEY. I never saw those orders. This is the first time I have ever known what his orders were.

Senator PATTERSON. And he further states as to the situation at the time when he was there with you:

"Aguinaldo had proclaimed his government only a few days before

(June 28) and Admiral Dewey had no instructions as to that assumption. The facts as to the situation I believe to be these:

“Consul Williams states in one of his letters to the State Department that several thousand Tagals were in open insurrection before our declaration of war with Spain. I do not know as to the number, yet I believe that statement has foundation in fact. Whether Admiral Dewey and Consul Wildman did or did not give Aguinaldo assurances that the Philippine Government would be recognized, the Filipinos certainly thought so, probably inferring this from their acts rather than their statements. If an incipient rebellion was already in progress, what could be inferred from the fact that Aguinaldo and certain other Spanish Tagals were brought down on a naval vessel and landed in Cavite? Admiral Dewey gave them arms and ammunition, as I did subsequently at his request. They were permitted to gather up a lot of arms which the Spaniards had thrown into the bay. And, with 4,000 rifles taken from Spanish prisoners and 2,000 purchased at Hong-kong, they proceeded to organize a brigade, and also to arm a small steamer that they had captured.”

Would that coincide with your observations at that time?

Admiral DEWEY. Those are General Anderson's statements. They are very interesting, indeed; I am here to make my own statements.

Senator PATTERSON. I want to know whether your views——

Admiral DEWEY. I do not like your questions a bit. I did not like them yesterday and I do not like them to-day. I am here to give you all the information I can of the conditions during the days before the arrival of the Army, of my actions then, and I am not responsible for what other people wrote or did or said.

Senator BEVERIDGE (acting chairman). You will answer before the committee all questions concerning your knowledge derived from any source, and you will not be required to answer questions that may in any way, in your judgment, reflect upon brother officers or criticise officers of the Army or Navy.

Senator CARMACK. I understand the question to be in order——

The CHAIRMAN. Senator Patterson is a lawyer and knows that it is not proper.

Senator PATTERSON. I sometimes think I am and sometimes think I am not.

Senator BEVERIDGE. I agree with you there.

Senator PATTERSON. But knowing the chairman is infallible, I will have to accept his statement.

The CHAIRMAN. But the Senator knows that he would be required in a court of law to ask the Admiral what he knows about what occurred.

Admiral DEWEY. That is fair; I can pick several flaws in that article now, but I am not here to criticise articles.

Senator PATTERSON. My question was whether your views of the situation coincide with what I have read.

Admiral DEWEY. No; they differ very much from the beginning.

Senator PATTERSON. Very well. That answer would have saved a lot of controversy.

General Anderson tells of the situation when he got there as follows:

“At the time (July, 1898) the insurgent Filipinos had driven the Spanish soldiers within the defenses, and had them completely invested

on the land side by light field works, which they held with about 14,000 men. They were poorly armed and equipped, yet as they had defeated the Spaniards in a number of fights in the field and taken 4,000 prisoners it may be asserted in the vernacular of the camp that they 'had the *morale* on them.'"

Was that the situation when General Anderson got there?

Admiral DEWEY. That is very interesting.

Senator PATTERSON. Was that the situation?

Admiral DEWEY. He says so.

Senator PATTERSON. Do you coincide with it?

Admiral DEWEY. I am not prepared to say; I do not know how many troops were there. How can I indorse an article like that?

Senator PATTERSON. It is for you to say.

Admiral DEWEY. It is very interesting.

Senator McCOMAS. If we are going to call upon Admiral Dewey to criticise a series of magazine articles, we will not get through to-day.

Senator PATTERSON. He will not be called upon to do so. I will ask you if you have any knowledge of this fact recited by General Anderson:

"A few days thereafter he made an official call, coming with cabinet and staff and a band of music. On that occasion he handed me an elaborate schedule for an autonomous government, which he had received from some Filipinos in Manila, with a statement that they had reason to believe that Spain would grant them such a form of government. With this was an open letter addressed to the Filipino people from Pedro Alexandre Paterno, advising them to put their trust in Spain rather than in America. The day before two German officers had called on Aguinaldo, and I believe they had brought him these papers. I asked him if the scheme was agreeable to him," etc.

Do you remember that?

Admiral DEWEY. I do not remember that.

Senator PATTERSON. Did you and General Anderson talk about these matters? For instance, this:

"I asked him if the scheme was agreeable to him. He did not answer, but asked if we, the North Americans, as he called us, intended to hold the Philippines as dependencies. I said I could not answer that, but that in 120 years we had established no colonies. He then made this remarkable statement: 'I have studied attentively the Constitution of the United States and I find in it no authority for colonies, and I have no fear.'"

Did General Anderson communicate these things to you?

Admiral DEWEY. He may have done so; I do not remember. That is four years ago, you know.

Senator PATTERSON. Admiral Dewey, I call your attention to the statement of General Whittier before the Peace Commission in Paris as your name appears:

"Aguinaldo went to Cavite, under the permission of Admiral Dewey, in reply to a telegram sent by Spencer Pratt, esq., our consul-general at Singapore, who offered that chief money for his expenses. His offer was declined."

Admiral DEWEY. Who offered?

Senator PATTERSON. Consul Pratt.

Admiral DEWEY. I do not know anything about that.

Senator PATTERSON. You did not have any knowledge of that. He continued:

“After arrival (on one of our ships) he went ashore”——

Senator BEVERIDGE. Have you any knowledge of any of that general subject from which Senator Patterson is now reading?

Admiral DEWEY. I do not think so; certainly nothing about what Mr. Pratt may have said. Does he use my name?

Senator PATTERSON. Yes; right there and several other times in this paragraph I am going to to read:

“After arrival (on one of our ships) he went ashore, accompanied by 18 staff officers, to organize his army. But no adherents appeared the first day and Aguinaldo, rather discouraged, meditated returning to Hongkong. I think Dewey advised him to make another effort, at the same time saying that he must leave the public buildings at Cavite where he had made his headquarters. Soon, from across the bay and from all sides, men gathered. The fact that Dewey permitted the armed men to move from the surrounding districts and for the rebels to take arms (not many, says the Admiral) in the arsenal was the only help we gave him, excepting, of course, the most important destruction of the Spanish navy. From that time the military operations and the conduct of the insurgents has been most creditable. Positions taken and the movements of troops show great ability on the part of some leader—I do not say it was necessarily Aguinaldo, but he gave the directions.”

Do you coincide with that?

Admiral DEWEY. That is General Whittier's statement. I ought not to be called upon to criticise him.

Senator PATTERSON. I am asking you whether you agree with that statement or not.

Admiral DEWEY. No; I do not. I have given my opinion on all those subjects. I do not like to criticise General Whittier.

Senator PATTERSON. I will ask you if you agree with this statement made by General Greene before the Peace Commission at Paris, speaking of the siege at Manila?

“Between 2,000 and 3,000 Spanish native troops surrendered to it”—he means the Philippine army—“during the months of June and July. It constantly annoyed and harassed the Spaniards in the trenches, keeping them up at night and wearing them out with fatigue. And it invested Manila early in July so completely that all supplies were cut off, and the inhabitants, as well as the Spanish troops, were forced to live on horse and buffalo meat, and the Chinese population off cats and dogs. They captured the waterworks of Manila and cut off the water supply, and if it had been in the dry season would have inflicted great suffering on the inhabitants for lack of water.”

Do you coincide with that?

Admiral DEWEY. Part of it.

Senator PATTERSON. What part do you disagree with?

Admiral DEWEY. He said they captured 8,000 troops; I have no means of knowing how many they captured.

Senator PATTERSON. With that exception you agree with that statement?

Admiral DEWEY. In the main, yes.

Senator BEVERIDGE. They are facts of history.

Admiral DEWEY. Yes. In that he omits the most important part—that the supplies were cut off by water.

Senator PATTERSON. I did not catch that.

Admiral DEWEY. He omits the most important part of the investment, that their supplies were cut off by water. All their provisions came by sea. I was blockading them.

Senator PATTERSON. There is no doubt about that; you were blockading them in front and Aguinaldo in the rear.

Admiral DEWEY. But their supplies came almost entirely by water.

Senator PATTERSON. But if it had not been for Aguinaldo's besieging land forces in the rear they would have had the country to live upon.

Admiral DEWEY. As far as that goes; but they do not have much in the country there. They get most of their provisions from Hong-kong.

Senator PATTERSON. Aguinaldo's army lived on the country.

Admiral DEWEY. They lived on rice.

Senator PATTERSON. And they would have had what the country afforded.

Senator McCOMAS. Their main supplies came by sea?

Admiral DEWEY. Yes; they did.

Senator PATTERSON. They would at least have had what the country furnished?

Admiral DEWEY. Yes, sir.

Senator BEVERIDGE. I only want to ask a question or two.

Do you remember a conversation between yourself and myself on the *Olympia* in which you said, referring to the situation and as we were looking over the situation, that you could not help but feel that a higher power than yours or ours was in this matter?

Admiral DEWEY. Yes; I have said it before.

Senator BEVERIDGE. And it is your opinion now?

Admiral DEWEY. It is my opinion now.

Senator BEVERIDGE. You were a member of the first Commission over there that made a report on the conditions?

Admiral DEWEY. Yes.

Senator BEVERIDGE. I will rapidly read a portion of that report signed by yourself and Dr. Schurman, with the rest of that Commission.

"The most striking and perhaps the most significant fact in the entire situation is the multiplicity of tribes inhabiting the archipelago, the diversity of their languages (which are mutually unintelligible), and the multifarious phases of civilization—ranging all the way from the highest to the lowest—exhibited by the natives of the several provinces and islands. In spite of the general use of the Spanish language by the educated classes, and the considerable similarity of economic and social conditions prevalent in Luzon and the Visayan Islands, the masses of the people are without a common speech; they lack the sentiment of nationality. The Filipinos are not a nation, but a variegated assemblage of different tribes and peoples, and their loyalty is still of the tribal type.

"Their lack of education and political experience, combined with their racial and linguistic diversities, disqualify them, in spite of their mental gifts and domestic virtues, to undertake the task of governing the archipelago at the present time. *The most that can be expected*

of them is to cooperate with the Americans in the administration of general affairs, from Manila as a center, and to undertake, subject to American control or guidance (as may be found necessary), the administration of provincial and municipal affairs. Fortunately, there are educated Filipinos, though they do not constitute a large proportion of the entire population, and their support and services will be of incalculable value in inaugurating and maintaining the new government. As education advances and experience ripens, the natives may be intrusted with a larger and more independent share of government—self-government, as the American ideal, being constantly kept in view as the goal. In this way American sovereignty over the archipelago will prove a great political boon to the people.

"Should our power by any fatality be withdrawn, the Commission believe that the government of the Philippines would speedily lapse into anarchy, which would excuse, if it did not necessitate, the intervention of other powers and the eventual division of the islands among them. Only through American occupation, therefore, is the idea of a free, self-governing, and united Philippine commonwealth at all conceivable. And the indispensable need from the Filipino point of view of maintaining American sovereignty over the archipelago is recognized by all intelligent Filipinos, and even by those insurgents who desire an American protectorate. The latter, it is true, would take the revenues and leave us the responsibilities. Nevertheless, they recognize the indubitable fact that the Filipinos can not stand alone. Thus the welfare of the Filipinos coincides with the dictates of national honor in forbidding our abandonment of the archipelago. We can not from any point of view escape the responsibilities of government which our sovereignty entails; and the Commission is strongly persuaded that the performance of our national duty will prove the greatest blessing to the peoples of the Philippine Islands."

I think you made that report, as a portion of the Commission?

Admiral DEWEY. Yes.

Senator BEVERIDGE. That was, of course, it is unnecessary to say, your opinion?

Admiral DEWEY. And it is still my opinion.

Senator BEVERIDGE. It stated that they are incapable of standing alone or governing themselves.

Admiral DEWEY. Yes.

Senator CARMACK. Was it always your opinion, Admiral?

Admiral DEWEY. Yes. I did make a comparison once in which I said they were as capable of self-government as the Cubans. I still think so, and I think neither of them is capable of self-government.

Senator CARMACK. They were more so than the people of Cuba, you said?

Senator BEVERIDGE. What was the last you said there?

Admiral DEWEY. That neither of them is capable of self-government.

Senator CARMACK. You were a member of the Schurman Commission, were you not?

Admiral DEWEY. Yes.

Senator CARMACK. He says they are ready for independence at this time.

Admiral DEWEY. I did not know that.

Senator DIETRICH. In your testimony yesterday, or the day before, you stated that the Spanish governor-general had tried to surrender to you?

Admiral DEWEY. Yes.

Senator DIETRICH. And my recollection is that you did not want to accept his surrender because you were waiting for American troops to arrive?

Admiral DEWEY. Yes.

Senator DIETRICH. Now, if you had had confidence in Aguinaldo and his army, and if you had recognized him as an ally, and he had a well equipped army, one that could be depended upon; one that you had confidence in, you could have accepted the surrender of the Spanish governor-general, and could have put Aguinaldo in charge of the city instead of waiting for the American soldiers, could you not?

Admiral DEWEY. Yes; and the fact that I did not accept the surrender would seem to bear out the opinion I then held that they were not to be trusted.

Senator DIETRICH. And had you had confidence in Aguinaldo and his so-called army, you certainly would have accepted the surrender and have placed him in charge of Manila?

Admiral DEWEY. Yes; that is, if I had had perfect confidence.

Senator DIETRICH. And he had been an ally; and if you and he had been in cooperation together it would have been a natural thing for you to have placed Aguinaldo's army in Manila?

Admiral DEWEY. Yes. It never entered my head to do that.

Senator DIETRICH. You think it would have entered your head if there had been an alliance?

Admiral DEWEY. Yes. That is something new to me. I never thought of it till this moment, and the fact that I did not accept the surrender is proof to me—it never entered my head to let him come in.

Senator DIETRICH. And that you were not working in cooperation with him, with Aguinaldo, you were depending absolutely on the American forces, both the Army and the Navy, and the fact that you were waiting for the American Army to arrive was conclusive evidence that you and Aguinaldo had no alliance?

Admiral DEWEY. I think so. I thank you very much for putting that idea in that shape. It makes my testimony stronger.

Thereupon, at 12.15, the committee adjourned.

INDEX TO TESTIMONY OF SERGT. LEROY E. HALLOCK.

	Page
American soldiers, good treatment of friendly Filipinos.....	1979
Battles, greater number of Filipinos killed in than Americans	1982
Burning Filipino towns.....	1973-1974
Extent of.....	1975
Filipinos:	
Beg for food	1975
Killed, greater number than Americans.....	1977
Prisoners—	
Common lot of people	1982
Escape of	1984-1985
Shot while attempting.....	1982, 1984-1985
Treatment of, generally.....	1982, 1984
In guardhouse	1982
Private O'Hearn—	
Murder of, confession	1970, 1971, 1975, 1976
No doubt of American soldiers as to guilt	1985
Smaller than Americans	1984
Towns—	
Burning of.....	1973
Extent of.....	1975
Reasons for.....	1975
Treatment of, by Americans	1983-1984
Water cure—	
Imprisoned after receiving	1981
Purpose of	1978-1979
Wounded, general treatment of	1982, 1983
Glenn, Captain, in command of soldiers administering water cure.....	1969-1977
Gregg, Capt. Alexander:	
In command of company administering water cure	1970
Cognizant of	1970
Hallock, Leroy E., Sergeant, Company I, Twenty-sixth U. S. Volunteers:	
Testimony of.....	1969-1985
Regiment stationed in Philippines.....	1969
Stay in Philippines.....	1969, 1983
Witnesses water cure	1969, 1979
Hughes, General, orders as to treatment of Filipinos	1984
Insurgents, burning of towns, where suspected.....	1975
Leon, water cure administered at.....	1971
O'Hearn, Private:	
Murder of—	
Confession of Filipinos	1970, 1971, 1975, 1976, 1978
No doubt in minds of American soldiers as to guilt of Filipinos.....	1985
Remains found and brought to Leon.....	1976
Prior to administering water cure to Filipinos	1977
Roasted	1969-1970
Story of	1979
Size of.....	1984
Tabungan, burning of	1973, 1974

II INDEX TO TESTIMONY OF SERGT. LEROY E. HALLOCK.

Water cure:

Administering of—

	Page
At Leon	197
Information obtained by	197
Purpose of	197
Twelve Filipinos subjected to	197
Two applications	197
Common repute	197
In 1900	197
Reasons for	197
To Filipinos	197
Murder of Private O'Hearn, punishment for	197-198
Subsequent to finding of remains	197
Ordered by Sergt. Jannuarius Manning	197
Purpose of	197-198, 198
Victims—	
Imprisonment, in guardhouse	197
Manner of	197
Shot while attempting to escape	197
Witnessed by Sergt. Leroy E. Hallock	198, 197

INDEX TO DIARY OF SIMEON A. VILLA—FLIGHT AND WANDERINGS OF AGUINALDO.

Aguinaldo:	
Assumes the name of "Lieutenant Esteban" at Palanan	2051
Biography of.....	2023-2026
Birthday, celebration of thirty-first.....	2023-2027
Of thirty-second.....	2060
Capture	2060
Imminence of.....	2038-2041
Companions in his flight.....	1987, 1998, 2014
Council at Banane settlement	1992
Danger from Igorrotes.....	1992
Departure from Bayambang.....	1987
Exhortation to soldiers.....	1998
Family:	
Determines to present, to Americans	1996
In Manila	2006
Parts from.....	1997
Son, death in Manila of smallpox, receives the news of	2033
Wife, fainting spell.....	1987
Writes to	2006
Famished condition of, and party	2041
Festivities ordered at Enrile and Tuguegarac	2043
Flight and wanderings of	1986-2060
November 13, 1899, to March 23, 1901	1986-2060
Forces of, divided into two columns	1987
Frustrates attempt of Igorrote to kill him.....	1999
Informa Mabini that independence alone is desired.....	2060
Labuagan fortified by	2029-2032
Mail sent out by	2033, 2046, 2047, 2060
Received	2032, 2045, 2046, 2053, 2060
Malarial fever.....	2045
Manifesto to Filipinos decided upon	2033
Mount Polis ascended by	1991, 1994, 1997
News of McKinley's reelection received by.....	2058
Of appointment of Philippine Commission	2029
Palanan entered with friends	2051
Plans for escape, Villa's, adopted.....	1993
Party—	
Attacked by Igorrotes.....	1999-2000
Contemplate trip to Europe after independence secured.....	1992
Joy of.....	2001
Ranch life.....	1993-1994
Rear guard of, scattered at Manaoag	1988
Reception by people of Naguilian	1988
Of Tubao	1988
Reinforced by Lieutenant-Colonel Joven	1987
Towns and places visited in his flight—	
Aeta settlement	2044
Agob settlement.....	2044
Alabaddabad	2049
Alava	1987
Alimit.....	2000
Ambabu	2050
Ambayuan.....	1990, 1995
Angaqui	1989



Bontoc
Buaya River
Buncian
Butigui
Cagaranan
Cagayan plains
Calasiao
Calvary Mountains
Candon
Caragaog
Cayan settlement
Cervantes
Concepcion
Dancalan
Dibuluan
Dicabayo
Dicadiuan
Dilumin
Dinagapilan ridge
Ditabag
Dumaesari
Dupay
Enrile
Escaris
Famy settlement
Gaang settlement
Guday settlement
Guinaang
Guinabuan
Labuagan
Latang settlement
Lubu
Mabuntot
Maducayon
Magaogao settlement
Magapasi
Magsilay
Malabig
Manaoag
Mandalao
Madulison Mountain

Aguinaldo—Continued.**Towns and places visited in his flight—Continued.**

	Page.
Pozorubio	1987
Pugon	2034
Rosario	1988
Sabang	2053
Sagada settlement	1990
Salcedo	1989
Salpic	2055
Sanga settlement	2036
Santa Barbara	1987
Seli	2009
Taboyan settlement	2048
Tadian	1990
Tagudin	1989
Talubin	1990, 1995
Taluctoc	2018, 2019
"Tierra Virgen" camp	2045-2047
Tubao	1988
Tuctuguino settlement	2038
Tuguegarac	2043
Alvaro, Señor, name assumed by Simeon A. Villa	2051
Ambayuan, captured by Americans	1997
Americans:	
Ambayuan captured by	1997
Aringay captured by	1989
Carig burned by	2003
Concepcion captured by	1990
Echague burned by	2003
Labuagan burned by	2035
Lubu captured by	2021
Palanan	2055
Pial	2023
Aringay captured by Americans	1989
"Baltasar, Capt. Santos," name assumed by Dr. Barcelona	2051
"Banane breakfast," description of	1994
Banane settlement, council of Aguinaldo at	1992
Barcelona:	
Accompanies Aguinaldo in his flight	1987
Assumes command of Aguinaldo's party	2051
Assumes the name of "Capt. Santos Baltasar"	2051
Barigana, Jacinto, execution on charge of treason	2029
Bayambang, departure of Aguinaldo from	1987
Binuangan:	
Igorrote chief, Americans favored by	2028
Dispatch and writer captured by Filipinos	2029
"Black list," Villa begins to make	2005
Cabagan Nuevo, attack on, by Villa	2044
Cagayan Valley surrenders to Americans	2005
Calana, Filipino stoves	1988
Calinga, Dominga, deserter, pardoned by Aguinaldo	2008
Camotes:	
Native potatoes found in high latitudes	1990
Food of Aguinaldo's party	1990, 1992, 1994-1995, 1999
Carig:	
Burned by Americans	2003
Military engagement at	2002
Cervantes, defenses of	1990
Christmas, Palanan, observance of the day	2057
Cogon, a high weed or grass	1989
Concepcion (General) accompanies Aguinaldo in his flight	1987
Concepcion (town) captured by Americans	1990
Cortes, Olimpio, chief of police at Palanan	2054
Echague burned by Americans	2003
Enrile, Filipino festivities at, in honor of Aguinaldo	2043
"Esteban, Lieutenant," a name assumed by Aguinaldo at Palanan	2051

Aguinaldo—Continued.

Towns and places visited in his flights—Continued.

	Page
Aringay	1998
Aroma settlement	2043
Ayaygan	1998-2000
Babuyan settlement	1998
Bagnen	1999
Bagui	2044
Balaoang	1999
Balinsugan	2011
Banafa	2011
Banane settlement	1991, 1997
Bangar	1999
Banluco	2044
Bayabas	2000
Bila	2013
Boac settlement	2012
Bontoc	1990
Buaya River	2039
Buncian	2000
Butigui	2011
Cagaranan	2005
Cagayan plains	2042, 2043
Calasiao	1997
Calvary Mountains	2011
Candon	1999
Caragoag	2012
Cayan settlement	1990
Cervantes	1999
Concepcion	1999
Dancalan	2016
Dibuluan	2049
Dicabayo	2053
Dicadiuan	2054
Dilumin	2059
Dinagapilan ridge	2057
Ditabag	2059
Dumasari	2057
Dupay	2055
Enrile	2040
Escaris	2001, 2014
Famy settlement	1999
Gaang settlement	2016
Guday settlement	2007
Guinaang	2054
Guinabuan	2012
Labuagan	2008
Latang settlement	2011
Lubu	2011
Mabuntot	2010
Maducayon	2011
Magaogao settlement	2014
Magapasi	2014
Magsilay	2011
Malabig	2011
Manaoag	2011
Mandalao	2011
Maduluson Mountain	2014
Mangali settlement	2011
Maralag settlement	2011
Mayaoayao	2011
Mount Polis	1991, 1994
Mount Tila	2011
Naguilian	1991, 2011
Palanan	2051, 2057-2058
Parasili	2011

Aguinaldo—Continued.**Towns and places visited in his flight—Continued.**

	Page.
Pozorubio	1987
Pugon	2034
Rosario	1988
Sabang	2053
Sagada settlement	1990
Salcedo	1989
Salpic	2055
Sanga settlement	2036
Santa Barbara	1987
Seli	2009
Taboyan settlement	2048
Tadian	1990
Tagudin	1989
Talubin	1990, 1995
Taluctoc	2018, 2019
"Tierra Virgen" camp	2045-2047
Tubao	1988
Tuctuguino settlement	2038
Tuguegarac	2043
Alvaro, Señor, name assumed by Simeon A. Villa	2051
Ambayuan, captured by Americans	1997
Americans:	
Ambayuan captured by	1997
Aringay captured by	1989
Carig burned by	2003
Concepcion captured by	1990
Echague burned by	2003
Labuagan burned by	2035
Lubu captured by	2021
Palanan	2055
Pial	2023
Aringay captured by Americans	1989
"Baltasar, Capt. Santos," name assumed by Dr. Barcelona	2051
"Banane breakfast," description of	1994
Banane settlement, council of Aguinaldo at	1992
Barcelona:	
Accompanies Aguinaldo in his flight	1987
Assumes command of Aguinaldo's party	2051
Assumes the name of "Capt. Santos Baltasar"	2051
Barigana, Jacinto, execution on charge of treason	2029
Bayambang, departure of Aguinaldo from	1987
Binuangan:	
Igorrote chief, Americans favored by	2028
Dispatch and writer captured by Filipinos	2029
"Black list," Villa begins to make	2005
Cabagan Nuevo, attack on, by Villa	2044
Cagayan Valley surrenders to Americans	2006
Calana, Filipino stoves	1988
Calinga, Dominga, deserter, pardoned by Aguinaldo	2006
Camotes:	
Native potatoes found in high latitudes	1990
Food of Aguinaldo's party	1990, 1992, 1994-1995, 1999
Carig:	
Burned by Americans	2003
Military engagement at	2002
Cervantes, defenses of	1990
Christmas, Palanan, observance of the day	2057
Cogon, a high weed or grass	1989
Concepcion (General) accompanies Aguinaldo in his flight	1987
Concepcion (town) captured by Americans	1990
Cortes, Olimpio, chief of police at Palanan	2054
Echague burned by Americans	2003
Enrile, Filipino festivities at, in honor of Aguinaldo	2043
"Esteban, Lieutenant," a name assumed by Aguinaldo at Palanan	2051

Filipinos:	Page.
Officers presenting themselves to Americans	2029
Reverses, news of, received by Aguinaldo at Palanan	2050
Food, high price of	2004
Funston, Gen. Frederick, captures Aguinaldo	2000
Gaddans:	
Mutilation of bodies of dead enemies	2017
Same as Ifugaos	2015
Sing like the Chinese	2017
Gatmaitan, Maj. Geronimo, executed for treason	2045
Gisaguet Mountains:	
Defenses ordered by Aguinaldo	2053
Key to Palanan	2053
Military engagement at	2054
Guzman, Manuel, joins Aguinaldo's party	2005
Hixon, J. C., translation of Villa's diary	19-6, 2000
Horse races, Aguinaldo and party indulge in	2006, 2007, 2008
Ifugaos:	
Filipino tribe of savages	2011
Same as Gaddans	2015
Threaten to attack Aguinaldo and party	2016
Igorrote (An) attempts to kill Aguinaldo secretly	1990
Igorrotes:	
Attack Aguinaldo's party	1900-2000
Attack Captain Villareal	1902
Dangerous to Aguinaldo	1902
"Kanao" feast, description of	1901-1902
Rice sold to Aguinaldo and party at high price	2041
Jeciel, Major, accompanies Aguinaldo in his flight	1907
Joven, Lieutenant-Colonel, reenforces Aguinaldo	1907
Julian, Noberto, court-martial of	2052
"Kanao," feast of Igorrotes, description of	1991-1992, 2003-2004
Labuagan:	
Burned by Americans	2036
Fortified by Aguinaldo	2029-2032
Malarial conditions	2032
Leyba, Colonel, accompanies Aguinaldo in his flight	1907
Leyba sisters:	
Accompany Aguinaldo in his flight	1907
In Manila	2006
"Limatic," a small animal resembling the leech, annoys Aguinaldo's party ..	2014
	2015, 2016
Lubu, arrival of Americans at	2037
McKinley, reelection, news of, received by Aguinaldo	2050
Mabini:	
Communication to Aguinaldo	2040
Power of attorney to, from Aguinaldo burned by Paterno	2052
Mail:	
Forwarded by Aguinaldo	2046, 2047, 2050
Received by Aguinaldo	2045, 2046, 2051
Malolos, Republic, anniversary of, celebrated	2037
Manoag, rear guard of Aguinaldo scattered at	2037
Mount Polis, a high mountain, ascended by Aguinaldo's party	1901, 1904
Mount Tila, ascended by Aguinaldo in his flight	2037
Defenses of	2037
Naguilian, hospitality to Aguinaldo and party	2038
Namagpacan, Simeon A. Villa's expedition to	2038
New Year festivities at Palanan	2038
"Nienec," mosquitoes	2038
Nidia, Florentino court-martial of	2038
Novicio, Luis, court-martial of	2038
Pagasinan, governor of, accompanies Aguinaldo in his flight	2038
Palanan:	
Aguinaldo and party—	
Captured at	2038
Entered by	2038
Inhabitants extend hospitalities to	2038
Americans quit the town	2038

	Page.
Palanan—Continued.	
Condition of town and houses	2051-2052
Festivities	2057, 2058
In honor of ratification of independence	2052-2053
New Year	2058
Fortifications near	2057
Paterno:	
Burns power of attorney to Mabini	2053
Conducts peace celebration in Manila, Aguinaldo receives news of	2047
Paul, Captain:	
Joins Aguinaldo	2029
Report of	2028
"Petate," native bedcovering of bamboo	1995
Philippine Commission, news of appointment of, reaches Aguinaldo	2029
Pial, Americans defeated at	2023
Pilar, General:	
Death of	1990
Inspects defenses of Mount Tila	1990
Quesada, Lieutenant-Colonel:	
Accompanies Aguinaldo in his flight	1987
Death of	2027
Ranch life, Aguinaldo and party	1993-1994
Rice, high price paid for, by Aguinaldo and party	2041
Ronquillo, Major, designated by Aguinaldo as chief of guerrillas in Cagayan ..	2046
Santo Tomas, capture of, by Americans	1989
"Sinigan," Filipino favorite dish	2010
Spies, execution of, by order of Aguinaldo	2059
Sytiar, Colonel, accompanies Aguinaldo in his flight	1987
"Tabacalera Company" ordered by Aguinaldo to supply munitions of war...	2056
"Taller," shoots of the "canote"	1992
Taluctoc inhabitants, supernatural belief as to Aguinaldo	2019
Tinio, General:	
Joins Aguinaldo	2030
Pays respects to Aguinaldo	1987
Tirona, General:	
Accompanies Aguinaldo in his flight	1987
Execrated by Aguinaldo	2005
Wealth of	2006
Topasio, Lieutenant-Colonel, accompanies Aguinaldo in his flight	1987
Tulao, reception of people to Aguinaldo	1998
Tuguegarac, Filipino festivities at, in honor of Aguinaldo	2043
Valenciano, important man in Talubin	1995
Van Deman, certificate of correctness of translation of Villa's diary	2060
Ventus, Paquito, Filipino boy adopted by Aguinaldo	2030
Villa, Simeon A., member of staff of Aguinaldo:	
Assumes the name of "Señor Alvaro"	2051
Attacks Cabagan Nuevo	2044
"Black list" begun by	2005
Diary of flight and wanderings of Aguinaldo	1993-2060
Captured at Palanan	1986
Character of	1996
Mission to various towns	1989
Plans for escape adopted by Aguinaldo	1993
Villareal, Captain, attacked by Igorrotes	1992
Women accompany Aguinaldo in his flight	1987



INDEX TO DOCUMENTS, ETC.

	Page.
Abad, Jacinto, military trial of	2071
Abbey (steamer):	
Capture of, and other vessels, grievance of Filipinos.....	2710, 2716
Request of commissioners appointed by Aguinaldo for release of.....	2731
Abing, Ubaldo, Presidente, Jiminez, arrest of	2200
Abra de Ilog, cattle ranch of Lopez family, superintendent, imprisoned	2810
Abuanan:	
Famine threatened.....	2491, 2532
Ladrones, danger from.....	2531
Petition for retention of United States troops.....	2492, 2490-2491, 2497-2498, 2531-2532
Robbers threaten.....	2490
Adams, John H., military trial of	2073
Afable, Julian:	
Action commended.....	2600
Elected presidente of Balayan.....	2618
Protest of Manuel Ramirez against.....	2618-2620
Friendly to Lopez family.....	2618
Relations to Filipino officials.....	2619
Agriculture:	
Capiz.....	2277
Cavite.....	2409
Iloos Sur.....	2423
Aguinaldo, commissioners appointed to confer with commissioners of General Otis:	
Discussion as to terms of protectorate desired by.....	2727-2732
Minutes of meetings.....	2700-2751
Request for release of steamer Abbey.....	2731
Ahern, Patrick, military trial of	2080
Ainsworth, Gen. F. C., report on military prisoners during the civil war	2503
Ainsworth, Joseph J., military trial of	2086
Ajuy, request for joint local government with Pili and Colasi	2474, 2503
Albay, satisfaction with American occupancy	2535
Aldren, Alfred, affidavit relative to death of Ysidro Gallanosa	2832
Alegia:	
United States troops withdrawn.....	2519
Protest against.....	2462, 2490
Alexander, Captain, telegram to Gov. J. H. Grant favoring clemency in mat- ter of presidente of Balatungan	2344
Alexander, Dave, military trial of	2075
Alfonso, pueblo, Cavite:	
Conditions.....	2416
Investigation of boundaries suggested.....	2416
Alicante hacienda, burning of	2524
Alimodian, petition for retention of United States troops	2481, 2510
Allen, Harry P., military trial of	2084
Allen, Henry T., chief, Philippine constabulary:	
Letter to Philippine Commission—	
Concerning withdrawal of United States troops from certain posts.....	2215-2218
Respecting affairs in Leyte.....	2178-2179
Report to secretary of commerce and police, Manila, on conditions in Misamis.....	2196

	Page
Allen, John, military trial of.....	2091, 2108
Allsman, Andrew, alleged murder of (1862), by confederates.....	2794-2796
Amansec, Benito, military trial of.....	2070
Americans:	
Army in Philippines—	
Conduct of—	
Hostile acts not committed in occupation of Philippines at time of meeting of commissioners conference.....	2729
Inimical to permanent peace.....	2610
Similar to conduct of Spanish army.....	2620
Desire to prolong war.....	2625
Officers, roster of, in Samar.....	2445
Signal corps, department of the Visayas.....	2451
Soldiers, murder of three engaged in repairing telegraph lines in Misamis.....	2198, 2198
Tendency to trust Filipinos too freely.....	2510
Troops—	
Bacolod, gratitude of, for protection.....	2528
Cebu and Bohol.....	2447
Discussion between commissioners of Aguinaldo and General Otis respecting sending of additional, to Philippines.....	2731-2732
Leyte.....	2447
Meritorious services—	
Generally.....	2535
Granada.....	2524
Iloilo Province.....	2510
Negros.....	2447
Panay.....	2447
Request of San Remigio for protection of.....	2527
Retention generally desired.....	2543
Roster of, in department of the Visayas.....	2446, 2461
Batangas—	
Barbarous treatment of natives charged.....	2558
Policy—	
Reconcentrado.....	2552
Until surrender of Malvar.....	2558
Cities, financial operations compared with Manila.....	2551
Grievances against, by Filipinos after capitulation of Manila.....	2710
Alleged occupation of more territory than comprised in zone of Manila.....	2710, 2716
Capture of steamer Abbey and other vessels.....	2710, 2716
Failure to consider cooperation of Filipino army.....	2710, 2716
Prohibit flying of Filipino flag in Manila Bay.....	2710, 2716
Method of procuring information of inhabitants of Jiminez.....	2556
Amilhussin, Dato Mohamed:	
Letter, of Maj. C. A. Williams.....	2738
To Col. O. W. Sweet.....	2146, 2739
Amnesty:	
Offenses committed in the Filipino-Spanish war, letter of W. A. Kinsaid concerning.....	2724-2725
Petition for, to Governor Taft.....	2727-2728
Ampusuning, Benguet, organization of.....	2728
Anderson, Christian N., military trial of.....	2728
Anderson, John S., military trial of.....	2728
Andrews, George, assistant adjutant-general, transmits report of attorney-general of Philippines to American commander.....	2728
Anilae:	
Fear of Tulisanes.....	2728
Petition for retention of United States troops.....	2728
“Anting anting” papers, discovery in possession of Santa Magdalena.....	2822
Aperka (a Moro), theft charged against.....	2728
Aposto, Santos, military trial of.....	2728
Applewhite, Richard, military trial of.....	2728
Apraka, theft charged against.....	2728

	Page.
Arguelles, Colonel:	
Commissioner appointed by Aguinaldo to confer with commissioners of General Otis.....	2709
Protectorate desired by Filipinos, views concerning.....	2728
Arkansas, conduct of Gen. Graham N. Fitch in (General Orders, No. 59, August 20, 1862, of S. Cooper, adjutant and inspector-general C. A.)....	2815-2816
Arms:	
Petition for, at Calape.....	2521
Secured by Moros through foreign channels.....	2163
Army officers, roster of, now in United States, with post-office addresses.....	2442
Arnold, Julius, military trial of	2090, 2113
Arrests, municipal officials of Jolo.....	2191-2193
Atkinson, Captain, meritorious services of, in Isabela.....	2500, 2524
Atlanta:	
Orders of General Sherman for destruction of (November 11, 1864).....	2807
Truce of ten days agreed upon between Generals Hood and Sherman.....	2806
Augustin, Manatirio, petition for United States troops:	
At his hacienda	2494
In Negros.....	2469
Austin, Thomas H., military trial of.....	2083
Autonomy, Filipino idea of	2401
Avery, Ralph R., military trial of.....	2093
Ayer, Adjutant-General, letter to Adjutant-General Hall respecting coastwise trade of Leyte.....	2176
Ayer, Capt. W. E., letter to Adjutant-General United States Army, respecting General Smith's action in Leyte.....	2177
Babatungon:	
Presidente—	
Arrest of, regretted.....	2337
Clemency asked for, by Captain Alexander and Governor J. H. Grant.....	2344
Vice-presidente—	
Municipal, report of	2343
Recommendations, reported on by Governor Grant.....	2343
Bacalan, petition for retention of United States troops.....	2463, 2480
Bacolod:	
Gratitude for protection at hands of American troops.....	2528
Lepers—	
Gratitude for treatment of, by United States forces.....	2470
Subscription for, at reception.....	2491-2492
Petition—	
For United States troops.....	2462
For retention of Col. B. A. Byrne	2521
Bacoar, lands of Recoletos, or Unshod Augustins	2406
Bais:	
Meritorious services of Lieut. Oliver Edwards at.....	2524
Petition—	
For United States officer to command native troops.....	2462, 2524
For United States troops.....	2500
Baker, Captain, telegram to Philippine constabulary on conditions in Leyte..	2179
Baker, Capt. Isaiah H., military trial of.....	2115
Balangiga massacre, effect upon other provinces	2338
Balasan, petition for retention of United States troops	2463, 2475
Balayan:	
Home of the Lopez family.....	2607
Only pacified town in Batangas	2605, 2607, 2624
Tranquil conditions	2608, 2613
Baltas, Señor, director of Banco Espanol-Filipino	2376 et seq.
Baldwin, Charles, military trial of.....	2164
Balete, petition for retention of United States troops.....	2473, 2506
Balger, George, military trial of.....	2094
Balisan, petition for retention of United States troops.....	2507-2508
Bamboo, abundance of	2366
Banate:	
Petition for retention of United States troops.....	2462, 2470-2471, 2502-2503
Police unarmed	2471

	Page
Bancalan, Ruy, estate, evidences found in house implicating Lopez brothers..	2619
Banco Espanol-Filipino:	
Charter rights, discussion.....	2375, 2376-2386, 2387-2393
Directors—	
Conference with secretary of finance and justice.....	2376-2386
Reply to secretary of finance and justice relative to charter rights, and circulating notes	2386-2393
Reply of secretary of finance and justice.....	2393-2394
In re the exclusive right to issue circulating notes in the Philippines.	2373-2399
Letter from Secretary Ide relative to	2373
Bandahara, Dato, relations to North Borneo Company.....	2229
Bandholtz, Captain, telegram to Philippine Commission on affairs in Tayabas.	2304
Banham, Capt. H. H., military operations in Marinduque	2444
Banking regulations (Philippine):	
Act regulating	2395-2399
Uniformity in, desirable	2373
Proposed	2374-2375
Baratoc, petition for retention of United States troops	2463
Barmachea, Felipe Carinoy	3071
Barnes, David, military trial of.....	3074
Barotac Nuevo, petition for retention of United States troops.....	2465, 2514
Barrett, Edward L., military trial of	3070
Barrios, Cavite.....	2414
Barrows, David P., chief of bureau of non-Christian tribes, letter to secretary of education	2390-2401
Barton, Eugene, letter to Governor Wright concerning elections in Misamis..	2195
Bash, Louis H.:	
Action respecting arrest of Fausto Bihana	2133
Statement in reference to Mariano Lopez	2615
Bataan, political pamphlet, dated January 1, 1902, distributed in.....	2211-2214
Batan, petition for retention of United States troops	2473, 2505
Batangas:	
Conditions generally.....	2590 et seq.
Alleged to be worse than under Spanish rule.....	2594
Described by General Bell.....	2594
Unhappy	2597, 2599
Geographical location	2594-2595
Closing of port.....	2595
Government—	
Civil, attempts to establish.....	2596
Military, necessity of	2596
Insurgents—	
Dangerous to Manila	2596
From other provinces congregate in.....	2596
Military governor, difficulties	2596
Military operations.....	2596-2597
Natives—	
Barbarous treatment of, by Americans.....	2596
Suffering of.....	2596-2597
Philippine Commission, opinion concerning.....	2596
Policy to bring about close of insurrection.....	2596
Rendezvous for "irreconcilables"	2596
Rights guaranteed when pacified.....	2596
Situation in.....	2596
Surrender of personal friends of Lopez family.....	2596
Batazza, Dato Mohamad, letter to commanding general of Mindanao and Jolo respecting salary	2596
"Bates agreement:"	
Abrogation recommended.....	2596
Attempted modification.....	2596
Jolo.....	2596
Request of Sultan for amendment.....	2596
Terms of.....	2596
Bates, Charles, military trial of.....	2596
Bates County, Mo., removal of certain citizens from, by order of General Ewing (August 25, 1863)	2596

	Page.
Bates, Lieut. Walter T., promulgates orders No. 1 of General Smith respecting commerce of Samar.....	2169-2170
Battle, Capt. J. S.:	
Promulgates orders of General Smith respecting commerce of Samar.	2169, 2170
Report to Governor Grant relative to arrests in Tacloban.....	2239
Bedes, Frank, military trial of	2074
Bell, Charley, military trial of	2074
Bell, David, order for execution by Maj. George M. Houston (Sept. 23, 1862).	2793
Bell, Gen. J. F.:	
Military governor of Batangas	2590
Difficulties of	2591
Action approved by War Department.....	2606, 2607
Letter to General Wheaton	2604
Lopez family—	
Brothers—	
Action relative to	2595, 2599
Arrested and confined in prison by order of.....	2589
Belief as to guilt	2595
Precautionary measures relative to	2597
Statement to Curry, chief of police of Manila.....	2608
Manuel Lopez, action in relation to and cows claimed by Revoltan friars.....	2609
Mariano Lopez—	
Opinion concerning	2599, 2644
Statement in reference to	2615
Property seized by	2609
Military operations in Batangas.....	2590-2591
Effect on Sixto Lopez	2604
Lobo district.....	2596
Policy of	2606-2607
Powers and authority of.....	2501, 2633
Reports	2604
Superior opportunity for knowledge of.....	2505
Telegraph Circular No. 1, correspondence of General Chaffee with War Department relative to.....	2621 et seq.
Belligerent Commander:	
Opinion of Sixto Lopez concerning	2605
Rights and duties of.....	2605
Benguet:	
Conditions—	
Labor	2420
Military	2421
Sanitary	2421
Tranquil.....	2417
Buscos troublesome.....	2417
Climate.....	2419
Coffee	2418
Dagupan Road.....	2420
Education	2419
Elections	2418
Gardens	2419
Governor of—	
Expedition of.....	2417
Report of Provincial.....	2417-2421
Minerals.....	2420
Mines	2420
Products.....	2418
Roads	2418
Soil	2419
Benson, Owen E., military trial of	2073
Berkhimer, "Military Government and Martial Law," quotation from.....	2602
Bertschev, Charles, military trial of	2072
Biak na bota, treaty of peace, discussion respecting between Commissioners of Aguinaldo and General Otis.....	2735, 2738, 2741
Biating, Damascio, military trial of.....	2071
Biaison, petition for retention of United States troops.....	2463-2480

	Page
Bier, Assistant Adjutant-General P. G., orders to burn Newtown and houses of Confederates at other points.....	280
Bihasa, Fausto :	
Arrest of	2179-2190
Statement of facts in relation to.....	2184-2190
United States military authorities, action concerning	2182-2190
Birch, E. W., governor of Sandakan, letter to General Davis with enclosures concerning commercial regulations in Jolo	222
Biron, Juan, military trial of.....	207
Bisbee, Gen. William H., action respecting arrest of Fausto Bihasa	214
Black, William, military trial of	200
Blake, Samuel, military trial of.....	202
Blatter, Frank K., military trial of	203
Bleedsaw, James, military trial of	211
Boac, military engagement near	244
Boardman, Captain, meritorious services at Taninay	243
Bocha, Fred, military trial of	207
Bohol:	
American troops in.....	244
Collectors of internal revenue	246
Petition for retention of United States troops.....	2462, 2468-2490
Bolayan, Sultan and datos, peace treaty with Spain.....	213
Boodie, Edward M., military trial of.....	209
Bookmiller, Capt. Edwin V., Ninth United States Infantry, address.....	243
Border, Warren B., military trial of	200
Bordman, Capt. John, meritorious services at Janiuay	251
Boundaries, investigation of, suggested for Alfonso pueblo in Cavite	246
Bour, Henry, military trial of	204
Bowman, George T., military trial of	207
Boylan, James A., military trial of	203
Bradshaw, George, military trial of.....	207
Brady, John, military trial of	202
Brandeis, Louis D., lawyer of Boston, statement in reference to Lopez matter	2611-2612
Brandle, George W., military trial of.....	210
Braun, Fred H., military trial of	213
Bridgman, Capt. Victor H., letter to Senator Culberson relating to water cure.....	242
Brink, Hon. Hilbert N., superintendent of schools, Island of Panay	212
Brodie, Edward M., military trial of	210
Brooks, Curtis E., military trial of.....	203
Brooks, Floyd E., military trial of	207
Brown, Frank, military trial of.....	207
Brown, Lieut. Preston, military trial of	207
Brown, Maj. George Le Roy, report on complaint of Dato Mohamad Rataza respecting salary	207
Bruce, Henry, military trial of	207
Bryant, Lounie, military trial of	207
Buckner, Chalmers, military trial of	207
Buist, Thomas M., military trial of	207
Bulacan Province:	
Governor suspected of duplicity	207
Municipal presidentes in, hostile to the Philippine Sugar Estates Development Company, Limited	207
Meeting relative to property of	207
Bulan:	
Dangerous proximity to Samar	254
Petition for retention of United States troops.....	2534, 2540-2541
Bullard, certificate that Mariano Lopez rendered aid to Americans in Batanga	207
Burke, Corpl. George C., military trial of	207
Burke, John J., military trial of	207
Burning, military orders regarding, civil war in the United States	207
Burr, Lieut. Frank S., report to Governor Livingston of difficulties at Santa Magdalena	207
Buskee, Nicholas W., military trial of.....	207
Busoles, Benguot, troublesome	207
Butler, Arthur B., military trial of	207

	Page.
Butler, Gen. B. F., occupation of New Orleans, proclamation of Jefferson Davis.....	2810-2813, 2817-2819
Butu (a Moro):	
Charged with theft	2156-2158
Efforts to arrest	2143
Butu, Hadji, prime minister to Sultan of Jolo, complaint respecting collection of money under forestry regulations	2160
Byrne, Col. B. A., meritorious services:	
In Bacolod.....	2521
In Philippines	2521-2523
Byrne, Major, meritorious services at Valladolid.....	2498
Cabancalan:	
Petition for retention of Col. B. A. Byrne.....	2522
Petition for retention of United States troops.....	2462
Petition for United States troops	2499, 2523
Cabatuan:	
Fear of ladrones.....	2472
Petition for retention of United States troops.....	2462, 2472, 2488, 2503-2505
Philippine constabulary	2473
Caffey, James F., military trial of	2091
Cagayan:	
Military commanders.....	2196
Municipal officials.....	2196
Pacific conditions	2197
Religions	2197
Calao, attack on Venancio Teilano	2506
Calape:	
Ill feeling of insurgents against.....	2521
Petition for retention of United States troops.....	2462, 2488-2489, 2519-2520
Petition for United States arms and troops	2521
Calderson, Felipe, lawyer of Bulacan, activity against the Philippine Sugar Estates Development Company, Limited.....	2369-2370
Calingao, Soetero, military trial of.....	2071
Calinog, petition for retention of United States troops.....	2463, 2516
Callahan, J. A., military trial of.....	2087
Callahan, W., military trial of	2076
Calle de Farnesio, a building occupied by Government officials in Cavite.....	2402
Cambell, William A., military trial of	2092, 2093
Candelaria, attacked by insurgents	2179
Capp, Second Lieut. William M., military trial of	2075
Capili, Insurgent General, military operations in Leyte	2345-2346
Capiz:	
Agriculture, needs of	2277
Civil Commission, meritorious services of	2278
Civil officers	2274
Civil rule established.....	2274
Commercial companies formed in	2278
Constabulary—	
Conflicts of, with robbers.....	2279
Delay in organizing	2279
Distribution of United States troops	2506
Elections, results of	2283
Economic conditions	2276
Famine imminent	2276
Finances	2282
Food supplies.....	2276
Highways, repair of	2277
Hostilities ceased.....	2246
Justices of the peace, needs of	2241
Locust plague	2276
Lumber and timber	2277
Measures advocated for improvement.....	2281
Municipalities	2274
Petitions for retention of United States troops.....	2462, 2473
Police inefficiently equipped	2279
Political conditions.....	2278

Capiz—Continued.

Public buildings, lack of.....	2274
Report of provincial governor.....	2274
Rinderpest	2274
Robbers:	
Habitat.....	2274
Reasons for.....	2274
Sanitary conditions.....	2274
Schools.....	2274
Carcar:	
Petition for retention of United States troops.....	2490
Vacated by United States troops and regarrisoned.....	2490
Carey, John J., military trial of.....	2490
Carig, Leon, military trial of.....	2490
Carl, Orrin E., military trial of.....	2490
Carlin, Joseph C., military trial of	2490
Carmona:	
Local disturbances	2403-2404
Municipal presidente, statement of account demanded.....	2403
Carriage tax, proposed, Ilocos Sur.....	2403
Carter, Clarence A., military trial of.....	2403
Carter, Joseph S., military trial of.....	2403
Carter, Lieut. Robert D., Twelfth United States Infantry, address	2403
Carver, Arnold E., military trial of.....	2403
Casey, Frank, military trial of	2403
Cass County, Mo., removal of certain citizens from, by order of General Ewing, (August 25, 1863)	2403
Castellana:	
Petition for retention of Lieutenant Nesbitt, Sixth Infantry.....	2400
Petition for retention of United States troops	2400
Castleberry, Albert D., military trial of.....	2400
Cattle, Ilocos Sur, lack of.....	2400
Causapin, Estaban, brother-in-law of Manuel Ramirez:	
Curries favor with Americans	2400
Robber.....	2400
Caville, Charles W., military trial of	2400
Cavite:	
Agriculture	2402
Alfonso pueblo—	
Conditions.....	2402
Investigation of boundaries suggested.....	2402
Barrios of.....	2402
Chinese	2402
Civil rule begins	2402
Communication, means of	2402
Criminals, treatment of, suggested.....	2402
Education	2402
Expenses of living high	2402
Financial conditions.....	2402
Friars—	
Evils of.....	2402
Lands of.....	2402
Gambling	2402
Government officials and salaries.....	2402
Government under Spanish rule.....	2402
Governor of—	
Recommendations.....	2401
Report	2401
Holidays	2401
Judicial proceedings in, affecting the Philippine Sugar Estates Development Company, Limited.....	2401
Justices of the peace appointed in municipalities of.....	2401
Labor conditions.....	2401
Lands of—	
Friars	2401
Hospital of San Jose de Cavite	2401
Mail service.....	2401
Municipal buildings.....	2414-2415

Cavite—Continued.	Page.
Municipal officers	2415
Need copies of laws	2412
Official expenses	2416
"Palace House," desirability for government use	2402
Philippine constabulary	2408
Population	2414
Property regulations suggested	2411
Public municipal buildings	2414-2415
Pueblos	2414
Arrangement under new government	2405
Recommendations of governor	2412
Salaries of—	
Municipal officers	2406
Officials increased	2402
Schools	2412
School teachers	2411-2412
Servants	2410
Taxation	2411
Teachers, schools	2411-2412
Telegraph service	2411
Tranquil conditions	2407
Usury	2409, 2410
Voters	2414
Cebu:	
American troops in	2447
Petition for retention of	2462
Conditions and operations	2208-2211
Election	2209-2210
Military hospital	2448
Petition for retention of United States troops	2462
Recommendations	2210
Scouts, department of the Visayas	2458
Cedula tax, Ilocos Sur	2425
Chaffee, Gen. A. R.:	
Bihasa, Fausto, action respecting arrest of	2185
Letter to Acting Governor Luke E. Wright concerning arrest of	2188
Correspondence with War Department relative to circular of General Bell	2823-2825
Transmitted to Philippine Commission	2821-2822
Davis, Gen. George W., report transmitted to governor of islands	2121
Gardener, Maj. Cornelius, telegrams to Adjutant-General, United States Army, relative to	2233, 2234, 2235
Jolo, report on commercial regulations in	2221
Letter to Acting Governor Luke E. Wright respecting conflict of authority between Philippine Commission and military authorities	2167-2169
Leyte, revokes circular of General Smith respecting affairs in	2169
Telegram to General Smith respecting	2178
Lopez family, refuses to hear	2609
Lopez, Julian, refusal to see	2623
Moro affairs, views on	2121
North Borneo Company, letter to Acting Governor Luke E. Wright concerning	2229
Chambersburg, Pa.:	
Burning of, by Confederates, July 30, 1864, report of Sergt. Will S. Koch- erperger	2813, 2814
Looting by Confederate soldiers prior to burning	2813-2814
Military order regarding, Gen. J. A. Early, July 28, 1864	2788
Chaplains, rank of captain, department of the Visayas	2449
Chapman, John D., military trial of	2075
Child stealing:	
Practiced in Jolo	2143
Among the Moros	2158
Childs, Lieut. Marshall, Twelfth United States Infantry, address	2443
Chinese, Cavite	2409
Chipman, Charles J., military trial of	2090
Chittenden, George W., military trial of	2094
Church festival, Tanuan, military order concerning	2337, 2340

	Page
Circular No. 25.....	2322
Circulating notes, Philippines:	
General discussion concerning	2373 et seq.
Reply of directors of Banco Espanol-Filipino to secretary of finance and justice concerning	2386-2393
Civil commission, Capiz, meritorious services of	2375
Civil government:	
Attempted establishment of, in Batangas.....	2390
Established in Capiz.....	2374
Civil Service Commission:	
Information respecting Philippine service	2267-2273
Letter concerning stenographers for the Philippines	2267-2269
Civil war, United States:	
Detention of loyal citizens	2503
Military orders.....	2502
In regard to burning.....	2738-2739
Military prisoners	2503, 2504
Clarito, Don Marcelino, municipal presidente of Carmona, statement of accounts demanded	2403
Clark, Charles A., military trial of.....	2062
Clark, Mat., military trial of.....	2063
Clay, William, military trial of.....	2060
Clemor, Benito, military trial of.....	2072
Climate, Benguet.....	2419
Cline, Harry, military trial of.....	2112
Cobb, Sylvanus H., military trial of.....	2060
Cochran, Lewis W., military trial of.....	2077
Cocoanuts	2396
Coffee	2367
Benguet	2413
Colasi:	
Petition for retention of United States troops.....	2463, 2460
Request of Barrio Ajuy for joint local government.....	2506
Cole, Captain, removed from Batangas on account of friendliness to Lopez brothers	2624
Collectors of internal revenue:	
Bohol	2449
Department of the Visayas.....	2449-2450
Collingridge, Edward, military trial of.....	2079
Collins, Fred R., military trial of.....	2067
Collins, Patrick, military trial of.....	2061
Commerce, Ilocos Sur.....	2422
Commercial companies, Capiz.....	2375
Commercial regulations, Jolo.....	2220-2222
Commission, Aguinaldo and General Otis:	
American Commissioners	2709, 2712, 2715, 2718, 2720, 2721, 2723, 2723, 2732, 2733, 2738, 2741, 2744, 2745, 2748, 2751
Assurances to commissioners of Aguinaldo that they had only limited powers	2733
Pleased with treatment by commissioners of Aguinaldo.....	2745, 2748, 2751
Discussion—	
Additional American troops, sending to Philippines.....	2731-2732
Conflict of Filipinos with Spain	2735, 2738, 2739
Filipino constitution	2737-2738, 2740-2741, 2742
Protectorate	2727-2732, 2737, 2740, 2741-2742
Sovereignty.....	2731-2732
Fifth meeting (January 26, 1899).....	2735, 2738, 2739
Filipino commissioners	2709, 2710, 2711, 2715, 2718, 2720, 2721, 2723, 2726, 2732, 2733, 2738, 2744, 2745, 2748, 2751
Pleased with courtesy of commissioners of General Otis	2745, 2748, 2751
Representations of commissioners of General Otis.....	2733
Proposed independence with restrictions.....	2718, 2721, 2722
Request for formal declaration by United States of protectorate over Philippines	2732, 2733, 2734
Recognition by United States of Malolos government....	2732, 2733, 2734
Release of steamer <i>Abbey</i>	2733
First meeting	2732
Fourth meeting (January 22, 1899).....	2732, 2733, 2734

Commission, Aguinaldo and General Otis—Continued.	Page.
Grievances of Filipinos against Americans set forth at meeting of	2710
Minutes of meetings	2709-2751
Mutual pleasure with meetings	2745, 2748, 2751
Purpose of, on part of General Otis	2709
Second meeting (January 14, 1899)	2718, 2721, 2723
Sixth meeting (January 29, 1899)	2744, 2747, 2751
Third meeting (January 17, 1899)	2728
Communication:	
Means of, Cavite	2409
Within enemy's lines prohibited, General Orders, No. 11, General Pope, (July 23, 1862)	2809
Conant, Charles C., statement relative to Philippine coinage transmitted to Philippine committee by Secretary of War	2588
Confederates:	
Alleged murders by in Missouri during civil war	2797-2798
Burning of Chambersburg, Pa., by, July 30, 1864, report of Sergt. Will S. Kochersperger	2813-2814
Burning of houses ordered by Asst. Adjt. Gen. P. G. Bier	2804
Execution of ten in Missouri in 1862, by order of General McNeil, in retaliation for murder of Andrew Allsman:	
Correspondence and newspaper comments	2794 et seq.
Effect	2800
Letter of Jefferson Davis, President of Confederate States, to Gen. T. H. Holmes (November 17, 1862)	2813
Confederate Government, measures of retaliation and retribution	2815
Confederate States, President, proclamation (December 23, 1862, Gen. B. F. Butler's occupation of New Orleans)	2810-2813, 2817-2819
Confessor, Julian, military trial of	2071
Conger, Lieut. A. L., report on smuggling of rice into Samar	2341
Conine, Otto R., military trial of	2100
Conner, William, military trial of	2084
Conrow, W. S., treasurer of Leyte, communication to chief of Philippine constabulary concerning affairs in Leyte	2178-2179
Constabulary, Philippine:	
Cabatuan	2473
Capiz, delay in organizing	2279
Cavite	2408
Letter of Acting Governor Luke E. Wright to General Chaffee concerning	2216
Leyte	2345
Tarlac	2389
Constitution:	
Adoption by Filipinos	2737, 2740, 2744
Filipino	2750
Delegates to Filipino congress which formed	2747
Discussion between commissioners of Aguinaldo and General Otis concerning	2737, 2740, 2744
Presentation to commissioners of General Otis	2744-2745, 2747, 2750
Convery, John J., military trial of	2062
Coombs, Charles F., military trial of	2077
Cooper, Adjutant and Inspector-General S., Confederate Army:	
General Orders, No. 54 (August 1, 1862), relative to General Pope and General Steinwehr	2815
General Orders, No. 59 (August 20, 1862), conduct of General Fitch in Arkansas	2815-2816
General Orders, No. 60 (August 21, 1862), General Hunter and General Phelps arming negro slaves	2816
Corbin, Gen. H. C.:	
Telegram to General Chaffee concerning Maj. Cornelius Gardener	2234, 2235
Telegram to General MacArthur, relating to alleged reconcentrado order of Major Smith as to Marinduque	2443
Corcoran, John, military trial of	2076
Cornick, Howard, military trial of	2085
Corpus, Dionisio, military trial of	2071
Corrales, Manuel, Governor of Misamis:	
Election	2194
Letter to civil governor of Philippines respecting arrival of friars in Jimenez and arrest of municipal officials	2193

	Page
Corrales, Manuel, Governor of Misamis—Continued.	
Transmits to governor of Philippines protest of residents of Jimenez against arrival of two friars	2190-2191
Cortelyou, George B. (secretary to the President), letter to Mrs. Mabel Bayard Warren (Lopez brothers)	2005
Corwine, R. W., collector of customs, Jolo, letter to Governor Taft concerning commercial relations in Jolo	2225
Cote, John, military trial of	2044
Cotton	2067
Cowdery, William, military trial of	2073
Cox, Walter, military trial of	2005
Crawford (inspector), telegram to chief of Philippine constabulary concerning conditions in Leyte	2179
Creary, Capt. W. F., Twelfth United States Infantry, address	2443
Criminals, Cavite, treatment suggested	2404
Crisologo, M., provincial governor of Ilocos Sur, report	2422-2423
Crops, failure at Jimenez	2302
Crowder, Col. E. H., a commissioner appointed by General Otis to confer with commissioners of Aguinaldo	2700
Croxton, Henry, military trial of	2114
Croxton, Capt. R. C., report on complaint of Hatib Ismailah	2154
Crozier, General William, statement relative to explosive bullets, transmitted to Philippine committee by Secretary of War	2506
Cruz, Francisco de la, affidavit relative to Quintin Gamit	2636
Cruz, Gabino de la, military trial of	2672
Cruz, Jorge de la, killing of, in Tacloban	2338-2339
Cruz, Mariana, military trial of	2672
Cruz, Pedro A., military trial of	2672
Cuartero, petition for retention of United States troops	2473, 2506
Cuer, James W., military trial of	2681
Culberson, Senator C. A., letter to Capt. Victor H. Bridgman concerning water cure	2441
Cumberland, military order, Gen. J. B. Early (July 28, 1864)	2796
Curry, Capt. George, letter to Fiske Warren relative to Lopez brothers	2306
Curtis, Gen. Samuel R., correspondence in regard to execution of ten Confederates in Missouri in 1862 in retaliation for murder of Andrew Allenman	2794 et seq
Customs, inspectors of, Department of the Visayas	2450
Cutland, James, military trial of	2001
Cuyo:	
Fear of insurgent Rufo Sandoval	2516
Petitions for retention of United States troops	2463
Request for United States troops	2516
Dagupan road, Benguet	244
Dahlgren, Colonel, expedition against Richmond, report of committee of Confederate Congress	2519-2520
Dahn, August J., military trial of	2071
Damschroeder, Theodore O., military trial of	2072
Danao, Baldimero, military trial of	2072
Danphoffer, George, military trial of	2072
Dao:	
Petition for—	
American school teacher	2516
Retention of United States troops	2463
Telephone	2463
Superintendent, arrest and liberation of	2516
Darby, William E., military trial of	2071
Darling, James A., military trial of	2071
Dato, chief of a Moro tribe	2071
Davenport, Leonard, military trial of	2071
Davis, Evan C., military trial of	2071
Davis, Gen. Geo. W.:	
Commander at Zamboanga	2516
Letter to adjutant-general Philippines concerning commercial relations at Jolo	2225
Report on commercial regulations in Jolo	2225
On Moro affairs	2225 et seq

	Page.
Davis, Jefferson, President Confederate States:	
Letter to Gen. T. H. Holmes (November 17, 1862), execution of ten Confederates in Missouri by order of General McNeil.....	2813
Proclamation (December 23, 1862), relative to Gen. B. F. Butler's occupation of New Orleans.....	2810-2813, 2817-2819
Davis, Joseph H., military trial of.....	2093
Dawson, Charles O., military trial of	2075
Dawson, George W., military trial of	2080
Delicano, Francisco, disappearance and murder of, at Dumangas.....	2487
Del Monte, captain of Filipinos, discussion between commissioners of Aguinaldo and General Otis respecting death of	2736, 2739, 2742
Deloso, Gen. Rufino:	
Commander of insurgents in Misamis.....	2196
Demands made upon inhabitants of Jiminez.....	2200
Letter to presidente of Loxulan	2200
Military activity.....	2199
Military operations—	
At Lanao.....	2197, 2201
In and about Jiminez.....	2199
Department of the Visayas. (See Visayas, Department of the.)	
Detloff, Anton, military trial of.....	2095
Detterman, Andrew, military trial of	2081
Detterman, Frank E., military trial of	2085
Devault, A. E., military trial of.....	2079
Dewey, Admiral George, correspondence with Washington respecting Philippines, letter of General Otis to General Hughes concerning... 2745-2746, 2748-2750	2745-2746, 2748-2750
Dickinson, James C., military trial of.....	2078
Dickson, Assistant Adjutant-General, General Orders, No. 59 (July 16, 1864), guerrillas in Kentucky.....	2006
Dill, Alonso W., military trial of	2118
Dillon, Charles J., military trial of	2077
Dillon, Henry H., jr., military trial of	2088
Dingle, petitions for retention of United States troops	2463, 2485, 2514
Disloyalty, General Orders, No. 11 (July 23, 1862), General Pope.....	2009
Dobby, A., military trial of.....	2080
Dodge, Fred, military trial of	2082
Dogs, shot in Jolo by order of Captain Ryan	2204
Dominicans, lands in Naic and Santa Cruz de Malabon.....	2405
Donald, Lieut. D., meritorious services at San Antonio, Zambales Province. 2533-2534	2533-2534
Donaldson, Samuel, order for execution, by Gen. Lewis Merrill	2792
Donnell:	
Danger from Tulisanes.....	2537
Petition for retention of United States troops.....	2534, 2536-2537
Satisfaction with American occupancy	2536-2537
Doran, John J., military trial of.....	2083
Doropan, Cosme, murder of, at Dumangas	2487
Doxtader, Jay, military trial of.....	2093
Doyle, Thomas, military trial of.....	2082
Drake, Frank E., order for execution by Maj. George M. Houston (Sept. 23, 1862).....	2793
Drouillard, Lieutenant, Sixth Infantry, meritorious services at Silay	2502, 2529
Duenas, petition for retention of United States troops	2462, 2516
Dumangas:	
Necessity for armed force	2515
Petition for retention of United States troops.....	2463, 2476-2477, 2486
Robbers in.....	2186
Dumanjug, petition for retention of Major McCoy, Forty-fourth Infantry. 2490, 2519	2490, 2519
Dunnington, James E., military trial of.....	2085
Duties, payable by Spanish vessels under treaty of 1836.....	2131-2132
Farley, Philip, military trial of	2078
Earhart, William H., order for execution by Maj. George M. Houston (Sept. 23, 1862).....	2793
Early, Gen. J. A., military order (July 28, 1864), Chambersburg and Cumberland.....	2788
Ebid (Moro boy):	
Killed.....	2142
Killing of, investigated	2150-2151

Edwards, Lieut. Oliver:	Page
Meritorious services at Bais	2524
Petition of Bais for, with troops	2500
Education:	
Benguet	2419
Cavite	2406
Ilocos Sur	2424
Non-Christian tribes, conditions	2399-2401
Pagasinan, general conditions	2400
Eighteenth United States Infantry, Department of the Visayas	2425-2453
Elections:	
Benguet	2418
Capiz, results of	2283
Cebu	2209-2210
Ilocos Sur, municipal	2422-2425
Jiminez	2199
Jimeno, a province of Capiz, difficulties in	2274-2275
Malitbog	2337, 2340
Mambusao, difficulties in	2274-2275
Eleventh Infantry, Samar	2445
Elliott, John P., military trial of	2077
Ellison, Lieut. Francis J., military trial of	2114
Emigration from Samar discouraged	2341
Enemy's country, military order of Gen. Robert E. Lee respecting procuring of supplies in	2563
Escalante, petition for transfer of troops at, to San Carlos	2501
Escarios, Roque, military trial of	2072
Essner, Joseph G., military trial of	2094
Estancia, petition for retention of United States troops	2463, 2475, 2507-2508
Estrella, Macario, military trial of	2070
Ewing, General:	
General Orders, No. 10 (August 18, 1863), military affairs in Missouri	2802
General Orders, No. 11 (August 25, 1863), military affairs in Missouri	2803
Expenditures, Manila, estimates for year ending June 30, 1902	2348-2349
Expenses, official, Cavite	2416
Famine, imminent in—	
Abuanan	2522
Capiz	2276-2277
Faust, Joseph J., military trial of	2073
Febiger, protest against prohibition of licenses and fines on persons gathering gutta-percha	2182
Federal Party:	
Marinduque, operations	2444
Permission given Mariano Lopez to organize committees	2474
Fulton, Paul H., military trial of	2080
Ferguson, Clark E., military trial of	2072
Ferguson, Clyde L., military trial of	2075
Ferguson, Rocco, military trial of	2074
Ferrick, Silas E., military trial of	2072
Fifteenth Regiment United States Infantry, operations in the Philippines	2377
Filipinos:	
American protectorate desired	2727-2728
Aspirations and hopes in respect of policy of United States	2719, 2723-2724
Batangas, barbarous treatment of, charged against Americans	2729
Characteristics	2736, 2739, 2742-2743
Conflict with Spain, discussion between commissioners of Aguinaldo and General Otis respecting	2735, 2738-2739
Constitution—	
Adoption	2737, 2740-2741
Delegates to Congress which formed	2747-2748
Presentation to commissioners of General Otis	2744-2745, 2747-2748
Distrust of declaration by United States of sovereignty over islands	2723-2724
Flag prohibited from flying in Manila Bay, grievance against Ameri- cans	2731-2732
Friction with Americans discussed by commissioners of Aguinaldo and General Otis	2737, 2740, 2742-2743

Filipinos—Continued.

	Page.
Government—	
Extent of control over archipelago	2710, 2716
Of formation	2712, 2716-2717
Grievances against Americans—	
After capitulation of Manila	2710
Alleged failure to consider cooperation of Filipino army in capitulation of Manila	2710, 2716
Alleged occupation of more territory than comprised in zone of Manila	2710, 2716
Capture of steamer Abbey and other vessels	2710, 2716
Prohibiting flying of Filipino flag in Manila Bay	2710, 2716
Ideas of autonomy	2401
Impatience at delay in declaration of American policy	2733, 2734, 2736, 2739, 2742-2743
Independence—	
Desired by	2710-2712, 2716-2718
Idea of American protectorate	2711-2712, 2716-2718
Murder of, at Sorsogon—	
Denial	2293-2296
Improbability of story	2293-2296
Newspaper article charging	2294
Denial of	2294-2296
Opposition to colonial government	2729
Prominent persons, arrest and imprisonment of	2965
Self-government, desire for	2401
Tarlac, compared with Japanese	2400
Filipino-Spanish war, offenses committed in:	
Amnesty, petition to Governor Taft	2231 2232
Amnesty suggested for, by W. A. Kincaid	2229 2231
Finances:	
Capiz	2282
Cavite	2411
Hocus Sur	2423-2424
Finnegan, Edward, military trial of	2086
Firearms, discussion concerning, between commissioners of Aguinaldo and General Otis	2737-2740, 2743-2744
Firewood, abundance of	2368
First Infantry, Samar	2445
Fisher, James F., military trial of	2088
Fisk, Gen. Clinton B., order to Major Montgomery (August 27, 1863) in relation to guerrillas	2804
Fitch, Gen. Graham N., conduct in Arkansas:	
General Orders, No. 59 (August 20, 1862), of S. Cooper, adjutant and inspector general, U. S. A. Army	2815 2816
Order (June 24, 1862) regarding guerrilla bands in Monroe County, Arkansas	2789-2790
Flag (Filipino), prohibition to fly, in Manila Bay, grievance against Americans	2710, 2716
Flores, General:	
A commissioner appointed by Aguinaldo to confer with commissioners of General Otis	2709
Protectorate desired by Filipinos, views concerning	2728
Foley, Patrick, military trial of	2078
Foul:	
Capiz	2276
Leyte, Circular No. 3 of General Smith concerning	2171
Foote, Col. Morris C., Nineteenth United States Infantry, address	2442
Forsyth, Col. James W., chief of staff, orders to General Merritt to devastate country (September 28, 1864)	2807
Forty-fourth Infantry, United States Volunteers, department of the Visayas	2457 2458
Forty-third Infantry, United States Volunteers, department of the Visayas	2456 2457
Poster, James N., military trial of	2077
Poutz, Phineas, military trial of	2097
Fox, G. H., order for execution by Maj. George M. Houston (September 23, 1862)	2783

	Page
Fränze, Charles, military trial of	2079
Free trade with Philippines:	
Desired by Sultan of Jolo	2144
Petition of Moro people concerning	2220-2232
Fremont, Gen. J. C., proclamation military order (August 30, 1861), military affairs in Missouri	2786
Friars:	
Cavite—	
Evils of, in	2410
Lands claimed by, in	2406
Lands in	2406
Cruel conduct under Spanish régime	2191
Ill feeling of Filipinos against	2191
Jiminez	2202
Hostility toward, by inhabitants of	2204
A parish priest of	2201
Jolo, protest against, by inhabitants of	2190-2191, 2193-2194
Lands, disputes concerning titles in Santa Cruz de Malabon	2406
Lopez family, ancient enemies of	2510
Superintendent of ranch accused of theft of cattle by	2510
Property of, now the property of the Philippine Sugar Estates Development Company, Limited	2356-2357
Frivaldo, Francisco, expedition and results in Sorsogon	2438
Fruit, Benguet	2419
Fulgar, Ignacio, affidavit relative to bribing of Ysidro Gallanosa	2333-2334
Fullon, Señor Leandro, governor of San Jose de Buenavista, petition for retention of United States troops	2529-2530
Funston, Gen. Frederick:	
Correspondence with chairman of Philippine Committee denying use of water cure	2259-2261
Denies administering water cure	2259-2261
Denies purported interview of John Nicholson	2259-2261
Gaffney, Thomas, military trial of	2476
Gallanosa, Ysidro, presidente of Santa Magdalena:	
Death of	2283-2284
Loyal to Americans	2283
Reported attempt to escape	2283
Testimony of Quintin Gamit relative to	2441-2442
Gambling, Cavite	2440-2441
Gamit, Quintin, secretary of Santa Magdalena:	
Character	2441
Cruel treatment of, by Fifteenth Infantry	2441
Testimony	2441-2442
Gardener, Maj. Cornelius:	
Correspondence between General Chaffee and War Department concerning	2237-2238
Investigation of, ordered	2237-2238
Letter to—	
Governor Taft with inclosures	2237
Municipal authorities of Tayabas	2237
Operations in Tayabas	2237
Results	2237
Telegram to Philippine Commission	2237
Gardens, Benguet	2440
Garrisons, department of the Visayas	2440
Gastemee, John, order for execution of, by Gen. Lewis Merrill	2440
Gazan, military engagement near	2440
Georgia, conditions in early part of 1865	2440
Geronilla, Simplicio, military trial of	2440
Gibson, Joseph, military trial of	2440
Gillmore, General, capture of Fort Sumter	2440
Gleason, William J., military trial of	2440
Goddard, John C., military trial of	2440
Godfrey, Colonel, Ninth Cavalry, meritorious services at Legaspi	2440

	Page.
Godfrey, Roscoe F., military trial of	2080
Government:	
Cavite—	
Officials and salaries	2413
Spanish rule	2410
Jolo	2126-2127
Malolos, recognition of, by United States requested by commissioners of	
Aguinaldo	2732, 2733, 2734
Governor, Benguet, report of	2417-2421
Granada:	
Gratitude for United States troops	2499
Meritorious services of American troops at	2524
Petition for retention of United States troops	2462, 2468, 2493-2494
Grant, Gen. Fred D., report on good feeling of natives toward American troops.	2535
Grant, Governor J. H.:	
Cordial relations with General Smith	2345
Conference with General Smith respecting affairs in Leyte	2168
Correspondence with acting governor of Philippines relative to arrests of	
presidentes, etc	2335-2352
Indones telegram concerning presidente of Babatungon	2344
Letter to—	
Acting governor of Philippines regarding conditions in Leyte....	2344-2346
Municipal presidente of Leyte respecting Circular No. 2, of General	
Smith, regarding coastwise trade of Leyte	2174-2175
Philippine Commission respecting affairs in Leyte	2174-2175
Gen. J. H. Smith, relative to withdrawal of troops from Leyte	2336-2338, 2347
Report of—	
On recommendations of municipal presidente, etc	2343
On smuggling of rice into Samar	2341
Telegram to Philippine Commission respecting conditions in Leyte	2178
Transmits to Philippine Commission Circular No. 2, of General Smith,	
respecting coastwise trade in the Island of Leyte	2174
Transmits to Philippine Commission letter of Smith, Bell & Co., relative	
to General Smith's order, prohibiting commerce between Leyte and	
Samar	2172
Transmits report relative to vice-presidente of Babatungon	2343
Grant, Gen. U. S.:	
Orders to General Sheridan (August 26, 1864) to lay waste Shenandoah	
Valley	2807
Report from General Sheridan (October 7, 1864) on military operations in	
Shenandoah Valley, Virginia	2807-2808
Gray, Henry C., military trial of	2079
Greeley, George H., military trial of	2080
Green, Charles, military trial of	2085
Green, Inspector, operations and duties	2197-2198
Green, Joseph, military trial of	2081
Greer, John, military trial of	2082
Griffin, Robert F., military trial of	2084
Grigsby, Jeff, military trial of	2080
Grimes, Charles B., military trial of	2085
Grosz, Alvin J., military trial of	2083
Guansons, native troops at Cabanalan:	
Discontent of citizens with	2409
Fear of in Cabanalan	2523
Guerrillas:	
Alleged issue of commissions by Gen. Sterling Price in 1862	2800
Arkansas, Monroe County, order of Col. G. N. Fitch (June 24, 1862). ..	2789-2790
Georgia (January, 1865)	2808-2809
Kentucky—	
General Orders, No. 59, Asst. Adj. Gen. J. Bates Dickson (July 16,	
1864)	2806
Military order of Gen. W. T. Sherman (June 21, 1864)	2805
Mexico, General Orders, No. 372 (December 12, 1847), by General Scott..	2820

Guzman, R., coauthor of political pamphlet distributed in Bataan . . .
 Hadji Jamalul Kiram, Sultan of, letter to Col. O. W. Sweet
 Haffey, Patsey, military trial of
 Halim, Mamerto:
 Affidavit—
 Relative to bribing of Ysidro Gallanosa
 Relative to Quintin Gamit
 Hall, Adjutant-General:
 Letter to General Smith respecting coastwise trade of Leyte . . .
 Telegram to General Hughes respecting General Smith's request
 pension of civil government in Leyte
 Hall, James, military trial of
 Hall, James H., order for execution by Maj. George M. Houston (.
 23, 1862)
 Hall, John B., military trial of
 Hamilton, Carlie, military trial of
 Hamilton, Elbert, order for execution by Maj. George M. Houston (.
 23, 1862)
 Hamilton, John, military trial of
 Harbach, Col. Abram A., First United States Infantry, address . . .
 Hardin, Rosser F., military trial of
 Harding, Henry, military trial of
 Hardy, Fred, military trial of
 Harker, Lieut. F. W., Fifteenth Infantry:
 Action in relation to Ysidro Gallanosa and Quintin Gamit
 Statement relative to—
 Arrest of presidente of Santa Magdalena
 Ysidro Gallanosa
 Harlan, George W., military trial of
 Harrison, Lee, military trial of
 Harvey, William, military trial of
 Hasson, James, military trial of
 Hawley, Charles, military trial of
 Health, Ilocos Sur
 Hedges, Walter, military trial of
 Heidt, Lieut. James V., meritorious services at Manapla
 Hemp
 Henderson, James, military trial of
 Herbert, John D., military trial of
 Hermanes, Raimondo, military trial of
 Higgins, Daniel, military trial of

	Page.
Holidays, Cavite	2410
Hollister, Henry L., military trial of	2088
Holmes, Gen. Thomas H., correspondence with Gen. Samuel R. Curtis, execution of 10 Confederates in Missouri in 1862 in retaliation for murder of Andrew Allsman	2704 <i>et seq.</i>
Hontiveros, Señor Ramon, revolutionary colonel of Mambusao	2275
Accused of treachery	2275
Imprisoned	2275
Hood, Gen. J. B., agreement with General Sherman for ten days' truce at Atlanta (September 12, 1864)	2806
Hopper, John, military trial of	2074
Hopson, Willis, military trial of	2073
Hose, Charles, military trial of	2087
Hostile territory, military law	2592
Houston, Maj. George M., military orders respecting execution of prisoners ..	2793
Hughes, Gen. R. P.:	
Commander of Department of Visayas	2446
A commissioner appointed by General Otis to meet commissioners of Aguinaldo	2709
Concurs in request of General Smith for transfer of Leyte from civil to military control	2168
Department staff	2446
Letter to Gen. H. C. Corbin relative to proceedings of investigation of water cure	2441
Personal staff	2446
Provost guard, Iloilo	2446
Statement to commissioners of Aguinaldo	2735, 2738, 2741
In respect to powers, duties, etc., of commissioners of General Otis	2730 2731
Telegram to Adjutant-General Hall respecting General Smith's request for suspension of civil government in Leyte	2176
Hunns, George, affidavit relative to arrest and death of presidente of Santa Magdalena	2833
Hunt, Lieut. O. E.:	
Connection with election in Mambusao	2275
Meritorious services at Manapla	2495
Hunter, General, negro slaves armed in South Carolina, General Orders, No. 60, August 21, 1862, of S. Cooper, Adjutant and Inspector General, Confederate Army	2816
Huston, Maj. J. F., reports petitions for retention of United States troops on island of Cebu	2462
Huston, Capt. T. F., meritorious services at San Jose de Buenavista	2542
Hutton, Captain, meritorious services at Ragay	2538 2539
Hygienic conditions, Ilocos Sur	2424
Ickis, Judge Warren H., letter to governor of Philippines concerning election in Misamis	2195
Ide, Henry C., secretary of finance and justice, Manila:	
Letter to Banco Espanol-Filipino relative to exclusive right to issue circulating notes in the Philippines	2373
Letter to W. Morgan Shuster, collector of customs, Manila	2225
Igharas, petitions for retention of United States troops	2463, 2481, 2510, 2511
Igorrotes, Benguet:	
Characteristics	2419
Compared with Moros	2144
Interest in education	2419
Illinois, assistant provost-marshal, report on military prisoners during civil war ..	2594
Ilocos Sur:	
Agriculture	2423
Cattle, lack of	2423
Commerce	2422
Conditions—	
Generally	2422
Economic	2423
Hygienic	2424
Judicial	2426
Political	2422
Education	2424

	Page
Ilocos Sur—Continued.	
Finances.....	2423
Industry.....	2423
Legislation proposed.....	2423
Municipal elections.....	2422, 2423
Municipalities.....	2423
Outbreaks rumored.....	2423
Plague.....	2423
Public order.....	2423
Report of provincial governor.....	2422-2423
Revenues.....	2423-2424
Taxation.....	2424
Carriage tax proposed.....	2425
Iloilo:	
Medical supply depot.....	2445
Military hospital.....	2445
Provost guard.....	2446
Quartermaster's depot.....	2445
Request for—	
Arms.....	2448
Retention of Sixth Infantry, Company M.....	2449, 2450
Of United States troops.....	2463, 2517
Subsistence department.....	2449
United States troops—	
Distribution of, in province.....	2504-2510
Meritorious services of.....	2510
Petitions for retention of.....	2463, 2517
Imports, Jolo.....	2423
Improvement, measures advocated for, in Capiz.....	2423
Imus, lands of Recoletos or Unshod Augustins.....	2446
Indanan, Maharajah, implicated in child stealing.....	2456
Independence:	
Absolute, desire of Filipinos.....	2711-2712, 2716-2717
Filipinos' idea of an American protectorate.....	2711-2712, 2716-2717
Restrictions upon, proposed by Filipino commissioners.....	2718, 2721, 2722
Indians, uprising, effect on world.....	2449
Industrial education, Benguet, recommendations.....	2449
Industry, Ilocos Sur.....	2423
Inspectors of customs, department of the Visayas.....	2449
Insurgents, Batangas, dangerous to Manila.....	2449
Insurrection, territory of, in Luzon.....	2449
Internal revenue:	
Collectors of, in Bohol.....	2449
Department of the Visayas.....	2449-2450
Irocin, petition for retention of United States troops.....	2449
"Irreconcilables," rendezvous in Batangas.....	2449
Irwin, William J., military trial of.....	2449
Isabela, requests for United States troops.....	2462, 2499-2500
Isabelo de Calan, death from inhuman and barbarous treatment.....	2561
Ismailah, Hatib, complaint to Moro governor.....	2449
Investigated.....	2449
Jackson, Clarence, military trial of.....	2449
Jackson, Lieut. Rhees, Twelfth United States Infantry, address.....	2449
Jackson County, Mo., removal of certain citizens from, by order of General Ewing, (August 25, 1863).....	2449
Jagnaya, petition for retention of United States troops.....	2462, 2467
Jahnke, John, military trial of.....	2449
Jamela, Sultana Inchy, letter to Col. O. W. Sweet.....	2449
James, Maj. W. H. W.:	
Letter to Sultan of Jolo—	
Relative to complaint of Hatib Ismailah.....	2449
Respecting thefts and slaves.....	2449
Report on—	
Charge of theft against Butu.....	2449
Complaint of Hatib Ismailah.....	2449
Janinay, petition for retention of—	
Capt. John Boardman, Twenty-sixth Infantry.....	2449
United States troops.....	2449

	Page.
Japanese, compared with Filipinos of Pangasinan	2400
Jenny, Capt. Fred W.:	
Meritorious services at San Miguel.....	2510
Petition of citizens of San Miguel for retention of, with detachment..	2480, 2481
Jesus, Juan de, military trial of	2072
Jilarion, Eladio, military trial of	2071
Jiloca, Agustin, military trial of	2071
Jimeno, province of Capiz:	
Election difficulties.....	2274
Petition for retention of United States troops	2473, 2508
Jiminez:	
Conditions, report of William P. Rhode on.....	2197, 2198-2204
Crop, failure of.....	2202
Election	2199
Friars	2202
Inhabitants—	
Characteristics of.....	2199
Complaint against Captain Ryan	2203
Protest against arrival of two friars	2190-2191, 2193-2194
Sentiment of principal.....	2199-2201
Terrorized	2203
Insurgent meeting.....	2199-2200
Method of procuring information from inhabitants by Americans.....	2200
Municipal officials—	
Arrested.....	2191-2193
Charged with treason.....	2191-2193
Parish priest a friar	2201
Principal men, conduct	2199-2200
Prisoners at.....	2198, 2204
Rice, restrictions on purchase of.....	2201
Schools	2202
Jimmanaylan, petition for retention of Col. B. A. Byrne	2522
Johnson, Adolph, military trial of	2076
Johnson, Gen. Bradley T., burning of Chambersburg, Pa., by (July 30, 1864)	2813-2814
Johnson, Capt. Carter, Tenth United States Cavalry, address	2442
Johnson, George W., military trial of	2083
Johnson, John A., military trial of	2079
Johnston, Alexander, article in Lalor's Cyclopaedia	2593
Jolo:	
Act of incorporation in favor of Spanish monarchy	2133-2136
American rule, general conditions respecting.....	2144
" Bates agreement "	2123
Child stealing practiced.....	2143
Climate unsuitable to white men	2127
Commercial regulations.....	2221-2232
Declared an open port in 1876.....	2139
Free trade with Philippines desired by Sultan.....	2144
Government	2126-2127
Highways, little improvement.....	2145
Imports	2228
Inhabitants—	
Mohammedans	2127
Prejudice	2127
Recommendations for	2127-2129
Report of Maj. C. A. Williams on affairs in.....	2142-2145
Schools	2144
Slavery.....	2126, 2140-2141, 2144
Sultan—	
Agreement of 1737.....	2130
Authority of	2124
" Bates agreement "	2139-2141
Requested to amend.....	2153
Dates, disagreements with	2142
Salaries.....	2141
Free trade with Philippines desired.....	2144
Letter of Gen. J. C. Bates of April 4, 1900.....	2141
North Borneo Company, commission relative to.....	2228
Salary	2141

Jolo--Continued.

Sultan--Continued.

Spain--

Act of April 30, 1851..... 2133-2136

Relations with 2122-2126

Treaty with 2125

Treaty of July 22, 1878 2136-2138

Treaty of 1836..... 2131

United States--

Relations with the 2123 et seq.

Under treaty of Paris..... 2125-2126

Jones, Charles, military trial of..... 2091

Jones, Frank, military trial of..... 2075

Jordan, Lieut. L. W., military operations in Marinduque..... 2444

Justices of the Peace:

Capiz, need of, in..... 2281

Cavite, municipal, appointed in..... 2406

Ilocos Sur..... 2426

Kadja, killing of 2151-2152

Kasim, Mohamed, complaint against Butu for theft..... 2157

Kay Devilla, military engagement at 2444

Kellenberger, Elmer E., military trial of..... 2092

Kennon, Capt. L. W. V., Sixth Infantry, a well-equipped officer 2522

Kenny, William F., military trial of..... 2065

Kentucky:

Crimes and murders in, order of General Sherman, June 21, 1864..... 2205

Guerrillas, General Orders, No. 59 (July 16, 1864) of Asst. Adjt. Gen. J.

Bates Dickson..... 2206

Military affairs, 1864..... 2206

Property of rebel sympathizers, confiscation ordered in certain cases..... 2206

Keppen, Henry, military trial of 2074

Kerr, Asst. Adjt. Gen. J. T., action respecting arrest of Fausto Bihana..... 2163

Kessinger, Clarence, military trial of..... 2206

Kiernan, Thomas, military trial of..... 2206

Kincaid, W. A., letter to Dr. T. H. Pardo de Tavera concerning general amnesty

for offenses committed in the Filipino-Spanish war..... 2220-2221

King, Charles, order for execution by Gen. Lewis Merrill 2172-2173

King, Charles C., military trial of 2063

King, George, military trial of..... 2062

King, John, military trial of 2061

King, Leslie, military trial of 2060

Kirby, William, military trial of..... 2059

Kirkpatrick, Frank, military trial of..... 2058

Kobbe, Gen. W. A., letter to adjutant-general, Philippines, concerning com-

mercial regulations in Jolo..... 2177

Kochersperger, Sergt. Will S., report on burning of Chambersburg, Pa., July

30, 1864, by Confederates..... 2513-2514

Kroger, Alfred, military trial of 2071

Krone, Fritz, military trial of 2072

Kudaranga, Sultan and datos, peace treaty with Spain 2073

Kussell, Adolph, military trial of..... 2075

La Castellana, petition for retention of Col. B. A. Byrne 2512

La Yoabela, petition for retention of Col. B. A. Byrne 2512

Labor conditions:

Benguet 2477

Cavite 2477

Ilocos Sur 2477

Ladrones:

Abuanan, hostility to..... 2511

Leon--

Fear of 2511

Force near 2511

Hostility toward 2481

Operations near 2511

Lupi, hostility toward 2511

San Antonio, Zambales Province, hostility to..... 2511-2514

Ladrones—Continued.

Sebaste—	Page.
Fear of	2516
Hostility to	2530
Laganes, petition for United States troops.....	2511-2512
Laguna, closing of ports.....	2625
Laines, Maj. Ignacio, insurgent, evidence implicating Lopez brothers found at encampment.....	2619
Lalor's Cyclopaedia, reference to	2593
Lanao, military operations of Gen. Rufino Deloso.....	2201
Landa, friars claims to, in Cavite	2405
Lane, John B., military trial of.....	2084
Lang, Lieut. Frank R., Ninth United States Infantry, address.....	2442
Laong, petition for retention of United States troops.....	2463, 2517
Larrea, Señor, director of Banco Espanol-Filipino	2376 et seq.
Lawrence, Charles, military trial of	2077
Laws, need of copies of, by municipal officers in Cavite	2412
Lawton, James P., military trial of.....	2091
Layug, Abadon, military trial of	2072
Leach, Thomas F., military trial of.....	2090, 2091
Lee, Gen. Robert E., military order of June 21, 1863, respecting procuring of supplies in enemy's country.....	2463
Leely, Charles F., military trial of	2086
Leete, William P., military trial of	2076
Leyanes, petition for retention of United States troops	2463, 2482
Legaspi, petition for retention of United States troops.....	2533
Legislation proposed, Ilocos Sur.....	2426
Leon:	
Ladrones—	
Fear of	2513
Operations near	2512
Opinion of Sullivan, sergeant, Twenty-sixth Infantry	2513
Petition for retention of United States troops.....	2463, 2481, 2483-2485, 2514
Satisfaction with American occupation.....	2543
Leonor, Nicacio, military trial of.....	2070
Lepers, subscription for, at Bacolod.....	2491-2492
Lewis, Edward E., military trial of.....	2083
Lewis, Thomas E., military trial of.....	2079
Leyte:	
Conditions generally.....	2177-2179
Correspondence respecting, between civil governor of province and acting governor of Philippines.....	2335-2352
Hostile	2171-2172
Improved	2345
Letter of Governor Grant on.....	2344-2346
American troops in.....	2447
Coastwise trade, Circular No. 2 of General Smith concerning.....	2175-2176
Commerce—	
Commercial relations to Samar.....	2168
Curtailed by order of General Smith.....	2167
Restrictions on commerce partially removed.....	2178
Under military supervision	2163-2164
Constabulary, strength of.....	2345
Emigration from Samar discouraged.....	2341
General Smith's request for transfer from civil to military control	2168
Insurrection in Samar—	
Assistance rendered to.....	2169
Communication restricted.....	2342
Inhabitants aid in	2172
Letter of Governor J. H. Grant to Philippine Commission.....	2170
Military operations of Capili, insurgent general.....	2345-2346
Military rule not needed	2346
Money and food supplies, Circular No. 3 of General Smith, concerning...	2171
Presidentes of municipalities—	
Held as prisoners of war.....	2335, 2336
Recommendations reported on by Governor J. H. Grant.....	2343

Leyte—Continued.

Provincial government—	Page
Established	2164
Report of provincial governor	2336-2338
Proximity to Samar	2165
Richest province in the Philippines.....	2173
Relations to Samar	2171
Scouts, department of Visayas.....	2454
Statement of Major-General MacArthur concerning	2164
Trade with Samar prohibited by General Smith.....	2169
Withdrawal of troops from	2345-2348
Correspondence between Governor Grant and General Smith.....	2345, 2347-2348
Lezo, petition for retention of United States troops	2473, 2506
Libby Prison, mine under, report of committee of Confederate congress..	2819-2820
Ligao, satisfaction with American occupancy.....	2533
Lincoln, Abraham (President):	
Criticism of, in reference to the arrest of noncombatants in Northern States.....	2509
Orders—	
General Orders No. 252 (July 31, 1863), violation of laws of war.....	246
Relative to Hon. C. L. Vollandigham.....	256
Lipa, measures of American Army.....	265
Livingston, J. G., governor of Sorsogon:	
Report of—	
To commanding officer, of arrest and killing of presidente of Santa Magdalena.....	2828, 2829, 2831
Arrest of secretary of Santa Magdalena	283
With inclosures	2825-2826
Loans, Manila, estimates for	2570
Loay, petition for retention of United States troops	2530
Loboo district, Batangas, military operations.....	2546
Locusts, Capiz	2576
Logan, David L., military trial of.....	264
Lombardy, Corporal, meritorious services in Capiz.....	2474, 2508
Lopez family:	
Brothers—	
Activity against election of Manuel Ramirez.....	2523
Arrest of, December 13, 1901, by order of General Bell.....	2518, 2519
Action of General Bell relative to, commended	2523
American assistance after	2527
Application for release of, denied.....	2527
Report of Charles E. Magoon, law officer.....	2524-2527
Concealed from their mother.....	2622, 2623, 2624
Confined at Talim by order of General Bell	2523
Description of.....	2523
Detailed circumstances.....	2522-2523
Subsequent surrender of arms from estate.....	2525
Without formal warrant on suspicion of aiding insurrection	2525
Charges against	2525
Action of General Bell in regard to	2525
Civil trial impossible	2525
Court-martial of, reported.....	2525
Deported from Batangas to Talim Island	2518, 2519
Complaint	2525
Evidence implicating, found in house on estate of Bancalan Ruy.....	2525
General Bell's belief as to guilt.....	2525
Letter of George Curry, chief of police, Manila	2525
Petition for release presented to the President by Clemencia Lopez.....	2525
Precautionary measures of General Bell relative to.....	2525
Prisoners in the island of Talim	2525
Refused a hearing in Philippines	2525
Relations with Malvar.....	2525
Release of—	
Not favored by American officials in Washington.....	2525
Probable	2525
Report of General Wheaton in respect to action taken against	2525
Statement of Louis D. Brandeis, lawyer of Boston, relative to.....	2611-2612

Lopez family—Continued.	
Brothers—Continued.	Page.
Suspicious against	2608
Treatment under arrest.....	2600-2601, 2623, 2651, 2654
Cipriano—	
Accused of having concealed 50 guns	2607, 2608
Arrest, manner of	2633
Biography of, captured.....	2595, 2642
Charges against	2611-2613
Surrender of forces of, in Batangas.....	2605
Trust in Americans.....	2633
Clemencia—	
Application to President for release of three brothers—	
Denied	2607-2610
Report of Charles E. Magoon, law officer	2589-2607
Statement	2594
Information as to.....	2605
Letter of—	
Louis D. Brandeis, with inclosures of letters from Mariano, Juliana, and Marquita	2620
President of the United States (April 18, 1902).....	2667
Sixto Lopez—	
Inclosed in letter of Sixto to Fiske Warren	2646-2650
Then in America.....	2606
Visit to Washington—	
Idea originated by Sixto Lopez	2608
Results expected by Sixto Lopez	2608
Conditions on estate after arrest of brothers.....	2651
Correspondence	2502-2505, 2598-2600, 2602-2605
Distress at learning of arrest of brothers.....	2622
Estates and property	2611
Feelings toward—	
Americans	2607
Of people of Batangas.....	2624-2625
Hope for mission of Clemencia Lopez to America.....	2660
Indignities suffered at the hands of the Americans.....	2609
Juliana—	
Distress at learning of arrest of brothers.....	2623
Attempts to see General Chaffee in behalf of.....	2623
Letters of—	
To Clemencia	2599, 2600, 2605, 2637-2640, 2650
February 14, 1902, treatment of Lopez brothers under arrest and conditions in Batangas.....	2654-2657
February 25, 1902	2661
March 7, 1902.....	2664-2666
March 14, 1902.....	2666
Then at Hongkong, informing them of arrest of brothers...	2621, 2622-2626
To Fiske Warren, (February 15, 1902).....	2657
To Sixto.....	2595, 2600
At Hongkong	2641-2644
Concerning—	
Accusations brought against Lopez family.....	2595
Clemencia's departure for America	2629
Conditions at Balayan	2636-2637
Deportation of Lopez brothers to island of Talim...	2634-2635
Marquita Lopez	2634
February 19, 1902	2658
February 23, 1902	2660
March 3, 1902.....	2664
Lorenzo, activity for release of Mariano Lopez.....	2619
Manuel, arrested for alleged theft of cows	2609
Maria, letter to Sixto Lopez	2636
At Hongkong	2643, 2645
February 15, 1902	2658
Relative to treatment of Lopez brothers under arrest.....	2654
Mariano—	
Aid rendered to Americans	2607, 2608

	Page
Lopez family—Continued.	
Mariano—Continued.	
Certificate of meritorious services in Batangas—	
By Lieut. Horace M. Reeve	2614-2615
By Maj. R. L. Bullard	2614
Integrity of, believed	2615
Distinguished from his brothers in conduct	2615
Letters of—	
To Clemencia, then at Hongkong	2625
To Sixto, concerning—	
Arrest and deportation of brothers	2615-2618, 2630-2632
Conduct of Manuel Ramirez	2630-2633
Imprisonment of Cipriano Lopez	2613
Opinion of General Bell concerning	2599, 2615, 2644
Permission given by Capt. A. L. Parmenter to organize committees of	
Federal party	2614
Proposed reply to charges of Manuel Ramirez	2640-2641
Statements, General Bell relative to	2599, 2615
Marquita—	
Arrival in Manila	2634
Letter to Clemencia Lopez relative to conditions of Lopez brothers	
in confinement, etc.	2652-2653
Treatment of, by leading Filipinos	2653
Members of	2611, 2620
Occupations and business affairs	2611
Personal friends surrender in Batangas	2614
Property of—	
Not confiscated	2626
Seized	2624
By order of General Bell	2610
Justification for	2626
Undivided	2620
Report relative to, transmitted to Secretary of War by Charles E. Magoon.	
Law Officer, Division of Insular Affairs	2628
Sixto—	
Conduct of, responsible for arrest of brothers	2622
Effect on, of General Bell's operations in Batangas	2622
Enemy of American Government in Philippines	2622
Freedom in Philippines	2622
Letters of—	
To Fiske Warren	2625
To General Chaffee, relative to arrest of brothers	2625
To Mariano Lopez, declining to forswear Filipino cause	2627-2628
Opinions of—	
As to rights of belligerent commander	2625
Favors peace, but abhors American methods of warfare	2625
Originates idea of Clemencia's visit to Washington	2625
Position relative to independence	2625
Power to release brothers believed, if oath of allegiance taken	2625
Residence in Europe and America	2625
Rumor concerning him as successor to Aguinaldo	2625
Steamer Purisima Concepcion seized by General Bell	2625
Suggested letter for Mariano Lopez to General Chaffee	2625
Superintendents of estates imprisoned	2625
Suspicious circumstances connected with	2625
Lopez, Luis, military trial of	2625
Lorain, Clyde, military trial of	2625
Ludesker, Louis, military trial of	2625
Luis, Catilino Ortis, military trial of	2625
Lukban, Filipino commander in Samar, operations	2625
Lumber, need of, in Capiz	2625
Lund, John C., military trial of	2625
Lupi:	
Danger from ladrones	2625
Petition for retention of United States troops	2625
Satisfaction with American occupation	2625
Luzon, insurrectionary territory	2625
Lydon, Robert E., military trial of	2625

	Page
Lyles, Lieut. De Witt C., Twelfth United States Infantry, address.....	2443
McBennett, Peter, military trial of	2103
McBum, Lieutenant, connection with elections in Mambusao.....	2275
McCaba, James, military trial of	2076
McCarthy, Dennis, military trial of.....	2093
McCarthy, James J., military trial of.....	2078
McCarthy, William P., military trial of.....	2088
McCaskell, Grant, military trial of	2083
McCausland, General, burning of Chambersburg, Pa., by, July 30, 1864..	2813-2814
McClanahan, Thomas H., military trial of	2096
McClellan, Ashton, military trial of	2084
McClellan, Gen. George B., military engagement near Williamsburg, May 4, 1862:	
Letter to Secretary of War	2789
Orders prisoners to remove torpedoes	2789
McConnell, Lieut. F. J., Twelfth United States Infantry, address.....	2443
McCoy, Major, Forty-fourth Infantry:	
Meritorious services at Dumanjug	2490
Petition for retention of	2519
McCoy, Thomas, military trial of.....	2074
McDonald, Frank, military trial of	2074
McEntyre, James L., military trial of.....	2084
McFadden, Eddie, military trial of	2096
McFarland, William M.:	
Order for execution by Gen. Lewis Merrill.....	2792
Commutation of death sentence	2792
McGrath, William, military trial of.....	2095
McInerney, John J., military trial of.....	2080
McIntyre, Joseph, military trial of	2079
McLean, Asst. Adjt. Gen. N. H., General Orders, No. 2 (March 3, 1862), guerrilla forces in Missouri.....	2801
McNeil, Gen. John:	
Execution of ten Confederates in Missouri in 1862.....	2794 et seq.
Letter of Jefferson Davis to General Holmes concerning.....	2813
Vindication of, by William R. Strachan, provost-marshal, Palmyra, Mo., December 10, 1862.....	2797-2801
General Orders, No. 15 (July 15, 1863), guerrillas, marauders, and bush-whackers to be summarily dealt with.....	2801
Maasin, petition for retention of United States troops.....	2463, 2481, 2510, 2516
MacArthur, General:	
Letter to General Corbin relative to reconcentration order of Major Smith in Marinduque	2443
Statement respecting Leyte	2164
MacIntyre, Daniel, military trial of	2080
Macato, petition for retention of United States troops	2473, 2506
Mack, John, military trial of.....	2085
Macklin, Lieutenant, election officer at Malitbog	2337, 2340
Macklin, Maj. James E., Eleventh United States Infantry, address	2442
Madarang, Basilio, letter relating to outbreaks in Ilocos Sur	2428
Madden, Leonard F., military trial of	2081
Madison, Edward, military trial of	2092
Magson, Charles E., Acting Chief, Division of Insular Affairs, War Department:	
Lopez family—	
Opinion and papers concerning, transmitted to Secretary of War	2589
Report on application of Clemencia Lopez.....	2589-2607
United States money, difficulty of obtaining, in Philippines, cablegram from acting governor of Philippines relative to, transmitted to Philippines Committee	2821
Maher, Frank, military trial of.....	2077
Mahoney, James C., military trial of	2080
Mails, Cavite	2411
Malabobo, barrio of Ilocanos.....	2400
Malana, Flaviano, military trial of	2072
Malitbog, election at	2337
Malolos government, recognition by United States requested by commissioners of Aguinaldo	2732, 2733, 2734
Malone, William F., military trial of	2073

Malvar, General:**Forces of—**

Badly scattered in Tayabas	235
Leaving Batangas for Tayabas	235
To be driven from Tayabas	235
Relations with Lopez brothers	239
Surrender of, would bring about relief measures for Batangas	235

Mambusao, municipality of Capiz:

Election difficulties at	2274-2275
Petition for retention of United States troops	2473, 2506

Manansala, Basilio, military trial of

2115

Manapla, American occupancy:

Improved conditions under	2525-2538
Satisfaction with	2525-2538
Petition for retention of United States troops	2462, 2466, 2500
Lieutenant Hunt	2485
Lieut. James V. Heidt	2525-2538

Mandano, petition for retention of United States troops

2462, 2490, 2519

Mangataren:

Conditions	2400
Councilor of, intelligent and interesting	2400

Manila:

Capitulation of, failure of Americans to consider cooperation of Filipinos a grievance of Filipinos	2710, 2716
--	------------

Conditions—

Improved	2813
Troublesome only where Americans live and saloons flourish	2813

Danger from insurgents of Batangas

2460

Fear of American authority

2825

Financial operations—

Compared with American cities	2531
-------------------------------------	------

Estimates—

Loans necessary	2531
Receipts and expenditures for year ending June 30, 1902	2348-2349

Real estate and buildings occupied by American Army

2351, 2353

Marinduque:

Insurgents, feeling of	2744
------------------------------	------

Operations—

Federal party	2744
---------------------	------

Military	2744
----------------	------

Engagements	2744
-------------------	------

Smith, Maj. Fred A.—

Improved conditions under	2744
---------------------------------	------

Reconcentrado orders	2442-2443
----------------------------	-----------

Report	2442-2443
--------------	-----------

Marinduque, Alejandro, military trial of

2742

Marsh, Asst. Adj. Gen. C. W., military orders:

June 23, 1862 (responsibility for loss of life and property)	2742
--	------

May 29, 1863, general orders, Missouri State Militia	2742
--	------

Martin, Thomas, military trial of

2742

Mathes, George M., military trial of

2742

Matile, Col. L. A., report relative to presidente of Santa Magdalena

2742

Matnog:

Efforts to reunite, with Santa Magdalena	2742
--	------

Petition for retention of United States troops	2742
--	------

Satisfaction with American occupancy	2742
--	------

Mattox, Oby, military trial of

2742

**Mealcampo (governor-general of Philippines), declares Jolo an open port
in 1876**

2742

Medical officers, Department of the Visayas

2742

Medler, Felix, military trial of

2742

Merrill, Gen. Lewis, military orders for execution of prisoners

2742

Merrill, Lieut. D. T., Twelfth United States Infantry, address

2742

Mexican guerrillas, General Orders, No. 372 (December 12, 1847), General Scott

2742

Meycanuayan, stone quarries

2742

Miagao, petition for retention of United States troops

2462, 2481

Military:

Authorities, power and authority of	2742
---	------

Military—Continued.

	Page.
Commissions—	
Instances of, during war.....	2598-2599
Jurisdiction in trial for murder of Moro by Moro.....	2152
Necessity for.....	2597-2598
Purposes of.....	2597-2598
Conditions in Benguet.....	2421
Engagements, Marinduque.....	2444
Government—	
Necessity for, in Batangas.....	2590
Time of hostilities, opinion of Supreme Court of the United States...	2591
Hospital—	
Cebu.....	2448
Iloilo.....	2448
Law, territory in hostility.....	2592
Military Government and Martial Law (Berkhimer), extract from... 	2592-2593
Orders—	
Assistant Adjutant-General Marsh, June 23, 1862 (responsibility for loss of life and property).....	2791
Civil war in the United States—	
Burning.....	2788-2820
Reference to.....	2592
Gen. Robert E. Lee, June 21, 1863 (procuring supplies in enemy's country).....	2863
Posts, abandoned by United States troops.....	2218-2219
Recommendations of Henry T. Allen, chief Philippine constabulary.....	2215-2218
Prisoners, civil war in United States.....	2593-2594
Trials—	
Abad, Jacinto.....	2071
Adams, John H.....	2073
Ahern, Patrick.....	2080
Ainsworth, Joseph J.....	2088
Alexander, Dave.....	2075
Allen Harry P.....	2084
Allen, John.....	2091
Allen, John.....	2106
Amansee, Benito.....	2070
Anderson, Christian N.....	2092
Anderson, John S.....	2084
Aposto, Santos.....	2071
Applewhite, Richard.....	2082
Arnold, Julius.....	2080
Arnold, Julius.....	2113
Austin, Thomas H.....	2083
Avery, Ralph R.....	2093
Baker, Capt. Isaiah H.....	2115
Baldwin, Charles.....	2084
Balger, George.....	2084
Barnes, David.....	2074
Barrett, Edward L.....	2080
Bedee, Frank.....	2074
Bell, Charley.....	2074
Benson, Owen E.....	2073
Bertschey, Charles.....	2092
Biating, Damascio.....	2071
Biron, Juan.....	2072
Black, William.....	2083
Blake, Samuel.....	2082
Blatter, Frank K.....	2082
Bleasaw, James.....	2118
Bocha, Fred.....	2091
Boudie, Edward M.....	2091
Border, Warren B.....	2080
Bour, Henry.....	2094
Bowman, George T.....	2074
Boylan, James A.....	2082
Bradshaw, George.....	2087

Military—Continued.

Trials—Continued.

Brady, John	118
Brandle, George W	118
Braun, Fred H	119
Brodie, Edward M	119
Brooks, Curtis E	121
Brooks, Floyd E	121
Brown, Frank	121
Brown, Lieut. Preston	121
Bruce, Henry	122
Bryant, Lounie	122
Buckner, Chalmers	122
Buist, Thomas M	122
Burke, Corpl. George C	122
Burke, John J	122
Buskee, Nicholas W	122
Butler, Arthur B	122
Caffey, James F	122
Calingao, Soetero	122
Callahan, J. A	122
Callahan, W	122
Camell, William A	122
Campbell, William	122
Capp, Lieut. William M	122
Carey, John J	122
Carig, Leon	122
Carl, Orrin E	122
Carlin, Joseph C	122
Carter, Clarence A	122
Carter, Joseph S	122
Carver, Arnold E	122
Casey, Frank	122
Castleberry, Albert D	122
Caville, Charles W	122
Chapman, John D	122
Chipman, Charles J	122
Chittenden, George W	122
Clark, Charles A	122
Clark, Mat	122
Clay, William	122
Clemor, Benito	122
Cline, Harry	122
Cobb, Sylvanus H	122
Cochran, Lewis W	122
Collingridge, Edward	122
Collins, Fred. R	122
Collins, Patrick	122
Confessor, Julian	122
Conine, Otto R	122
Conner, William	122
Convery, John J	122
Coombs, Charles F	122
Corcoran, John	122
Cormick, Howard	122
Corpus, Dionisio	122
Cote, John	122
Cowdery, William	122
Cox, Walter	122
Croxton, Henry	122
Cruz, Gabino de la	122
Cruz, Mariana	122
Cruz, Pedro	122
Cuer, James	122
Cutland, James	122
Dahn, August J	122
Damschroeder, Theodore O	122

Military—Continued.

Trials—Continued.

	Page
Danao, Baldimero.....	2072
Danphoffer, George.....	2102
Darby, William.....	2077
Darling, James A.....	2088
Davis, Evan C.....	2075
Davis, Joseph H.....	2093
Dawson, Charles O.....	2075
Dawson, George W.....	2080
Detloff, Anton.....	2085
Detterman, Andrew.....	2081
Detterman, Frank E.....	2085
Devault, A. E.....	2079
Dickinson, James C.....	2078
Dill, Alonso W.....	2118
Dillon, Charles J.....	2077
Dillon, jr., Henry H.....	2088
Dobby, A.....	2080
Dodge, Fred.....	2082
Doran, John J.....	2083
Dostader, Jay.....	2093
Doyle, Thomas.....	2082
Dunnington, James E.....	2085
Elliot, John P.....	2077
Ellison, Lieut. Francis J.....	2114
Escarios, Roque.....	2072
Essner, Joseph G.....	2084
Estrella, Macario.....	2070
Faust, Joseph J.....	2076
Felton, Paul H.....	2085
Ferguson, Clark E.....	2079
Ferguson, Clyde L.....	2078
Ferguson, Rocco.....	2080
Ferrick, Silas E.....	2081
Finnegan, Edward.....	2086
Fisher, James F.....	2088
Foley, Patrick.....	2078
Foster, James N.....	2077
Foutz, Phineas.....	2097
Franze, Charles.....	2079
Gaffney, Thomas.....	2086
Geronilla, Simplicio.....	2071
Gibson, Joseph.....	2085
Gleason, William J.....	2082
Goddard, John C.....	2073
Goodfrey, Roscoe F.....	2080
Gray, Henry C.....	2079
Greeley, George H.....	2080
Green, Charles.....	2085
Green, Joseph.....	2081
Greer, John.....	2082
Griffin, Robert F.....	2084
Grigsby, Jeff.....	2080
Grimes, Charles B.....	2085
Grosz, Alvin J.....	2083
Gugit, Iden L.....	2083
Gutierrez, Juan M.....	2072
Haffey, Putsey.....	2085
Hall, James.....	2082
Hall, John B.....	2076
Hamilton, Charlie.....	2084
Hamilton, John.....	2087
Hardin, Rosser F.....	2080
Harding, Henry.....	2082
Hardy, Fred.....	2081
Harlan, George W.....	2079

Hopson, Willis
 Hoss, Charles
 Irwin, William J.
 Jackson, Clarence
 Jahnke, John
 Jesus, Juan de
 Jilarios, Eladio
 Jiloca, Agustin
 Johnson, Adolph
 Johnson, George W.
 Johnson, John A.
 Jones, Charles
 Jones, Frank
 Kellenberger, Elmer E.
 Kenny, William F.
 Keppen, Henry
 Kessinger, Clarence
 Kiernan, Thomas
 King, Charles C.
 King, George
 King, John
 King, Leslie
 Kirby, William
 Kirkpatrick, Frank
 Kroger, Alfred
 Krone, Fritz
 Kussell, Adolph
 Lane, John B.
 Lawrence, Charles
 Lawton, James P.
 Layug, Abadon
 Leach, Thomas F.
 Leely, Charles F.
 Leete, William P.
 Leonor, Nicacio
 Lewis, Edward E.
 Lewis, Thomas E.
 Logan, David L.
 Lopez, Luis
 Lorain, Clyde

Military—Continued.

Trials—Continued.

	Page.
McClellan, Ashton	2084
McCoy, Thomas	2074
McDonald, Frank	2074
McEntyre, James L	2084
McFadden, Eddie	2086
McGrath, William	2085
McInerney, John J	2080
McIntyre, Joseph	2079
MacIntyre, Daniel	2080
Mack, John	2085
Madden, Leonard F	2081
Madison, Edward	2082
Maher, Frank	2077
Mahoney, James C	2080
Malana, Flaviano	2072
Malone, William F	2073
Manansala, Basilio	2118
Marinduque, Alejandro	2072
Martin, Thomas	2081
Mather, George M	2087
Mattox, Oby	2081
Medler, Felix	2089
Miller, Frank	2088
Miller, John D	2078
Minor, Dennis	2085
Moore, William H	2083
Mondonedo, Flaviano	2072
Monsed, José	2071
Monteagudo, Brantio	2072
Mooney, Harry A	2088
Moor, Thomas F	2077
Moore, Clarence R	2078
Moore, George L	2084
Morgan, William W	2073
Mullen, Harry F	2118
Mulvihill, Patrick J	2077
Munsey, Lawrence W	2089
Murphy, Frank	2075
Murphy, Lawrence H	2084
Murphy, Patrick J	2074, 2088
Murr, William J	2085
Nadeau, Polycarpe	2085
Neary, Frank A	2083
Needles, James G	2082
Netherland, Walter	2084
Netopeki, John W	2089
Nitchie, John	2075
Norton, George S	2074
Novicio, Theodorico	2071
Nugent, Edward F	2079
Ogden, John W	2088
O'Hara, William P	2083
O'Keefe, Charles	2091, 2084
Omaha, Gregorio	2071
O'Neil, Ernest A	2087
Oppenheimer, Isaac	2088
Owen, Charles C	2087
Owens, Garfield	2082
Parker, Harry B	2079
Parson, Severo	2071
Patton, George	2080
Perea, Joseph E	2079
Perkins, Callert	2085
Perkins, Lieut. Alvin S	2109
Pettus, Thomas H	2081
Phillips, Robert	2085

Ramirez, Juan
 Rau, William
 Raymond, George A.
 Ready, William J.
 Reardon, Frederick
 Reardon, John
 Reece, Sidney
 Reyes, Alfonso
 Reynolds, Noah
 Richardson, Charles H.
 Ringham, Bert E.
 Roberts, Frank
 Roberts, John R.
 Robinson, George W.
 Roe, J. T. U.
 Roland, Charles A.
 Ross, Clinton J.
 Rowan, Port J.
 Rusher, James A.
 Ryan, John
 Sacdalan, Pio
 San Juan, Esteban
 San Pablo, Antanacio
 Sanros, Dimas de los
 Santa Mario, Emilio
 Santos, Arcadio de los
 Santos, Ciracio Dando de los
 Scanlain, Thomas J.
 Scarborough, William E.
 Schofield, Charles B.
 Scholtz, Will F.
 Scruggs, William
 Shanahan, William
 Shobe, Frank
 Shockness, Grant
 Shroff, Abel J.
 Simpson, John
 Sims, Denton L.
 Sins, Charles M.
 Sleet, Harry
 Smelser, Michael C.
 Smith, Arthur
 Smith, Frank J.
 Smith, Howard P.
 Smith, Oliver
 Smith, Warren C.
 Snyder, Ernest R.
 Snyder, Frank
 Souther, John L.
 Spurlock, James T.
 Stahl, Fred
 Stanley, Benjamin
 Stephens, Frank
 Stewart, Alexander

Military—Continued.**Trials—Continued.**

	Page
Stokes, Cornelius	2080
Stone, Charles H.	2089
Strickland, William H	2087
Stroup, Louis R	2080
Strouse, W	2074
Sullivan, Frank P	2082
Summers, Leo	2089
Supper, Eugene	2088
Sutton, William R	2083
Tabares, Pablo	2071
Terrell, John W	2087
Thomas, Lieut. Bissell	2081
Thomas, Nelson	2078
Thorp, Walter S	2082
Tomlinson, William	2083
Torres, Isidoro	2072
Townsend, George F	2073
Townsend, Thomas C	2084
Trapiel, Marcelino	2072
Turnbull, jr., Walter	2073
Turner, William	2118
Tuson, Juan	2070
Valentine, William J	2080
Victor, William	2107
Viernes, Jacinto	2072
Walker, Harry	2077
Walker, Michael	2083
Wallace, Dan	2088
Walsh, Bruce C	2078
Walsh, Patrick J	2085
Walsh, Thomas	2088
Ward, Joseph	2073
Warner, William E	2083
Washington, Frederick A	2085
Washington, George	2118
Way, Otho	2083
Webb, Edgar S	2085
Welch, William H	2079
Wells, Joseph B	2089
Wenner, Charles	2075
White, Wilson A	2079
Whitehead, Albert	2082
Whitehead, William	2088
Whitely, Edward	2088
Widerstorm, Thorvid H	2087
Williams, Clover	2085
Williams, Conrad	2073
Williams, Henry	2086
Williams, John	2118
Wilson, Willie	2087
Yancey, Thomas L	2074
Ygnacio, Agapita	2072
Young, James	2085
Zorn, Joseph W	2084
Zoya, Joseph	2082
Miller, Frank, military trial of	2083
Miller, John D., military trial of	2076
Mims, Mark, affidavit relative to arrest and death of Presidente of Santa Mag- dalena	2083
Mindanao:	
General conditions	2123
Inhabitants, treatment by United States	2123
Mohammedanism, prevailing religion	2124
Races	2123-2124
Recommendations concerning	2128
Minerals	2086
Benguet	2086

Minor, Col. C. W., transmits letter from Governor of Occidental Negros concerning conditions in province.....	
Minor, Dennis, military trial of.....	
Misamis:	
General conditions	219
Report of Henry T. Allen, chief Philippine constabulary.....	
Conduct of soldiers	
Elections in.....	219
Geographical location.....	
Government required.....	
Missouri, military affairs:	
General conditions during civil war.....	279
Alleged murders by Confederates.....	279
General Ewing—	
General Orders, No. 10 (Aug. 18, 1863)	
General Orders, No. 11 (Aug. 25, 1863)	
Removal of citizens from different counties.....	
General Schofield, General Orders, No. 86 (Aug. 25, 1861)	
Martial law, orders of General Thompson (Sept. 2, 1861)	
Proclamation of General Fremont (Aug. 30, 1861)	
Rebellion—	
Orders of Assistant Adjutant-General March (May 29, 1863).....	
Policy of United States in early part of	
Responsibility for loss of life and property	
Moase, William H., military trial of.....	
“Modus vivendi,” proposed establishment of, after capitulation of Manila....	272
Mohammedans:	
Inhabitants of Jolo.....	
Prevailing religious sect in Mindanao	
Molina, Senor Santiago, judge of first instance in Santa Cruz de Malabon, protest against ruling	
Mondonnedo, Flaviano, military trial of.....	
Money:	
Leyte, Circular, No. 3, of General Smith concerning.....	
United States, difficulty of obtaining, in Philippines.....	
Monroe County, Ark., guerilla bands, order of Col. G. N. Fitch (June 24, 1862).....	278
Monsod, Jose, military trial of	
Monteagudo, Branlio, military trial of	
Mooney, Harry A., military trial of	
Moor, Thomas F., military trial of.....	
Moore, Clarence R., military trial of.....	
Moore, George L., military trial of	
Morgan, William W., military trial of	
“Morgan’s raid,” reference to	
Moros:	
Arms secured through foreign channels.....	
Charged with child stealing.....	
Commercial regulations.....	282
Compared with Igorrotes	
History of	2122
Hostility to Americans.....	
Imports by	
Observations concerning	
Recommendations.....	212
Report of Gen. George W. Davis concerning.....	2120
Moses, Hon. Bernard, Secretary of Education of Non-Christian Tribes.....	
“Mrs. Alexander’s cotton” (2 Wall., 404), Supreme Court case, referred to ..	
Mullen, Harry F., military trial of	
Mulliken, Lieutenant, meritorious services at San Carlos.....	249
Mulvihill, Patrick J., military trial of.....	
Mumford, William B., execution by United States authorities at New Orleans—	
Order for execution by Lieut. William H. Wiegel (June 5, 1862)	279
Proclamation of Jefferson Davis.....	2810-2813, 2817

	Page
Municipalities:	
Cagayan, municipal officials	2196
Capiz	2274
Cavite, municipal—	
Buildings	2414-2415
Officers	2415
Need of copies of laws	2412
Ilocos Sur	2423
Leyte, presidentes held as prisoners of war	2335-2336
Munsey, Lawrence W., military trial of	2089
Munson, Capt. Fred L., Twenty-fourth United States Infantry, address	2442
Murcia, praise for United States troops and officer	2462, 2500-2501
Murphy, Frank, military trial of	2075
Murphy, Lawrence H., military trial of	2084
Murphy, Patrick J., military trial of	2074, 2088
Murr, William J., military trial of	2095
Nabalas, petition for retention of United States troops	2462, 2516
Nadean, Polycarpe, military trial of	2095
Naic:	
Judicial proceedings affecting the Philippine Sugar Estates Development Company, Limited	2367-2370
Protest against ruling of judge	2404
Lands of Dominican Friars	2405
Neary, Frank A., military trial of	2083
Needles, James G., military trial of	2092
Negroes (see Occidental Negroes):	
American troops in	2447
Immigrants from other provinces	2277
Petitions for retention of United States troops	2462
Scouts, Department of the Visayas	2458
Slaves, arming by Union officers in civil war, General Orders, No. 60 (August 21, 1862), of S. Cooper, Adjutant and Inspector-General, Confederate army	2816
Nerbitt, Lieutenant, Sixth Infantry:	
Meritorious services at Castellana	2493
Petition of citizens for retention	2469
Netherland, Walter, military trial of	2084
Netopski, John W., military trial of	2089
New Orleans, occupation by Gen. B. F. Butler, proclamation of Jefferson Davis	2810, 2813, 2817, 2819
New Orleans v. Steamship Co., 20 Wall., 387, Supreme Court case involving power of military government in time of hostilities	2591
New York World, interview with General Funston relative to water cure	2260, 2261
Newtown, burning ordered by Asst. Adjt. Gen. P. G. Bier	2804
Nichols, Captain, Thirty-eighth Infantry, petition for retention of, at Calinog	2516
Nichols, Capt. W. A., report on charge of theft against Butu	2156
Nicholson, John:	
Interview in New York World—	
Implicates General Funston as originating water cure	2260, 2261
Denied by General Funston	2259, 2261
Story believed to be a myth	2261, 2262
Telegram to Sergeant at-Arms of Senate offering to testify before Philippine Committee	2262
Nineteenth United States Infantry, Department of the Visayas	2453, 2454
Ninth Cavalry, Samar	2446
Ninth Infantry, Samar	2445
Sitchie, John, military trial of	2075
Noble, Capt. Robert H.:	
Certificate of verbal requests from province of Panay for retention of United States troops	2516, 2517
Transmits petitions for retention of United States troops	2461, 2464
Non-Christian tribes, educational conditions	2390, 2401
Norton, George S., military trial of	2074
North Borneo Company, commercial rights in Jolo	2228
Novelita, lands of Shod Augustin Friars	2405

Novicio, Teodorico, military trial of.....	
Noya, Ensign, death of	
Nuevo, petition for retention of United States troops..	
Nugent, Edward F., military trial of.....	
Numancia, petition for retention of United States troops	
Occidental Negroes:	
Conditions.....	
Military, investigation.....	
Meritorious services of American officers and	
Gratitude for subscription for lepers at Bacolod..	
Natives, attitude toward American army.....	
Petitions for retention of United States troops...	
Robbers	
Officers, civil, Capiz	
Ogden, John W., military trial of	
O'Hara, William P., military trial of	
O'Keefe, Charles, military trial of.....	
Oldham, John H., order for execution by Maj. George	
1862)	
Omaha, Gregorio, military trial of.....	
O'Neil, Ernest A., military trial of	
O'Neil, Capt. Joseph P., meritorious services at San /	
Oppenheimer, Isaac, military trial of	
Oretano, brigantine schooner.....	
Otis, General:	
Commissioners appointed to confer with commis-	
Assurances of limited powers only.....	
Discussion as to terms of protectorate desired	
Minutes of meetings.....	
Correspondence with Washington respecting Phil	
Otis to General Hughes.....	
Letter to General Hughes to be presented to com-	
"Exhibit A"	
Oton, petition for retention of United States troops ..	
Oury, Lieut. W. H., Twelfth United States Infantry,	
Outbreaks rumored in Ilocos Sur	
Overbeck, Baron D., a representative of the North B	
Owen, Charles C., military trial of.....	
Owens, Garfield, military trial of.....	
Pack, Gov. William F., report on Benguet.....	
Paddy:	
Cultivation	
Value of crops	
Pagasinan, Filipinos:	
Characteristics	
Compared with Japanese.	
Education, general conditions.....	
Paje, Col. John H., action respecting arrest of Fausto	
Palay:	
Patnongan—	
Permission requested to collect.....	
Protection asked for.....	
San Remigio, request—	
Permission to retain	
Protection of American troops.....	
Sebaste, petition for protection by American troops	
Taken to Sibolou	
Palmer, Capt. George, Ninth United States Infantry,	
Palmyra (Mo.), alleged murder of ten Confederates in	
Panay	
American troops in.....	
Petitions for retention of United States troops...	
Certificate of Capt. Robert H. Noble.....	
Verbal request of towns for	
Scouts, Department of the Visayas	
Pandan, petition for retention of United States troops	

	Page.
Pangasinan, conditions generally	2399-2401, 2400-2401
Parker, Harry B., military trial of	2079
Parmenter, Capt. A. L., permission given to Mariano Lopez to organize committees of Federal party	2614
Parson, Severo, military trial of	2071
Passi, petition for retention of United States troops	2463, 2485, 2514
Patnongan:	
Famine imminent	2543
Petition for—	
Permission to collect palay	2516
United States troops	2516, 2542-2543
Satisfaction with American occupation	2543
Patstone (inspector), telegram to chief of Philippine constabulary concerning conditions in Leyte	2179
Patton, George, military trial of	2090
Paymasters, Department of the Visayas	2448
Peace, permanent, measures of American army inimical to	2610
Penfield, Lieut. Walter G., First United States Infantry, address	2442
Perea, Joseph E., military trial of	2079
Perkins, Calbert, military trial of	2095
Perkins, Lieut. Alvin S., military trial of	2109
Perry, Private Clarence, petition for retention of, as school teacher at Dao ...	2508
Pettus, Thomas H., military trial of	2081
Phelps, General, arming negro slaves in Louisiana, General Orders, No 60, (August 21, 1862), of S. Cooper, adjutant and inspector-general, Confederate Army	2816
Philippines:	
Banking in, act regulating	2395-2399
Civil service, difficulties in securing eligibles	2267-2273
Commission—	
Authority, claimed for Leyte	2168
Conflict of, with military authorities, letter of General Chaffee concerning	2167-2169
Upheld by Secretary of War	2168
Military authorities	
Desire to cooperate with	2165
Difficulties with	2163-2169
Relations with	2164
Objects and purposes	2729
Opinion concerning Batangas	2590
Congress, delegates to which formed constitution	2747, 2750
Governor-general	
Agreement with the Sultan of Jolo in 1737	2130
Treaty with Sultan of Jolo in 1836	2121
Guerrilla warfare in, increased powers of military governors	2591
Money, United States, difficulty of obtaining	2821
Philippine Sugar Estates Development Company, Limited -	
Capital stock	2354
Hostility to, in Bulacan	2369-2370
Lands cultivated	2366
Letter to governor of Bulacan, dated December 10, 1901	2358
Losses of	2370
Possessions, protest against sale of, to the government	2353 et seq.
Productions, value of	2368
Property of	2354, 2358
Formerly belonged to the friars	2356
Location of	2363
Value of	2363
Report concerning judicial proceedings in Santa Cruz de Malabon and Naic	2367-2370
Policy of United States not to bring on conflict	2719, 2723, 2726
United States authorities' position in	2501
War in, manner of conducting	2492
Phillips, Robert, military trial of	2085
Phister, Maj. Nat P., First United States Infantry, address	2442
Picazo, petition for retention of United States troops	2473, 2506

	Page
Pierce, William, arrest and imprisonment of, ordered during civil war in United States	2506
Pierson, David H., military trial of	2463
Pilar, petition for retention of United States troops	2473, 2506
Pili, request of barrio of Ajuy for joint local government	2506
Plague, Ilocos Sur	2423
Placy, Elmer W., military trial of	2463
Platt, Ora, military trial of	2491
Poffenholtz, Jay J., military trial of	2462
Polangui, satisfaction with American occupancy	2535
Police, Capiz:	
General conditions	2520
Inefficiently equipped	2579
Policy, United States, toward Philippines, impatience of Filipinos for declaration	2733, 2734, 2736, 2739, 2742-2743
"Polista," defined	2494
Political conditions:	
Bataan, political pamphlet of January 1, 1902, distributed	2211-2274
Capiz	2575
Ilocos Sur	2422
Pope, Major General:	
General Orders—	
No. 11 (July 23, 1862), disloyal male citizens	2490
No. 54, S. Cooper, adjutant and inspector-general (August 1, 1862) ..	2514
Population, Cavite	2414
Porter, Robert, military trial of	2466
Ports:	
Closing of	2510
Laguna and Batangas	2525
Pototan:	
Necessity for armed force	2514
Petition for retention of United States troops	2463, 2465
Potts, James W., military trial of	2464
Powers, James H., military trial of	2463
Prado, Inocencio, military trial of	2465
Prado, Vicente, military trial of	2465
President of the United States declines to release Lopez brothers	2468
Price, Maj. Gen. Sterling, alleged issue of commissions to guerrillas in Missouri ..	2460
Prisoners of war:	
Civil war, United States, execution of, by order of General Merrill ..	2792-2796
Military orders of Maj. George M. Houston, respecting	2794
General Orders, No. 252, President Lincoln (July 31, 1863)	2796
Treatment by Americans	2798
Products, Benguet	2418-2419
Property:	
Cavite, regulations suggested	2411
Kentucky, rebel sympathizers in, confiscation ordered	2406
Missouri, destruction of, General Orders, No. 10, General Ewing (August 18, 1863) ..	2407
Protectorate, American:	
Commissioners of Aguinaldo, discussion with General Otis as to terms of ..	2731-2732
Request for formal declaration of	2732, 2733, 2734
Desire of Filipinos for	2711-2712, 2716-2718, 2727
Reasons of Filipinos for asking establishment of	2719, 2721, 2722
Filipinos' ideas of absolute independence equivalent to	2711-2712, 2716-2717
Provincial governor, Ilocos Sur, report of	2422, 2425
Provost courts, Department of the Visayas	2450
Public buildings:	
Capiz, lack of	2528
Cavite	2417
Public order, Ilocos Sur	2422
Pueblos:	
Cavite	2417
Arrangement under new government	2417-2418

	Page.
urly, Lieutenant, Sixth Infantry:	
Meritorious services at Silay	2528
Petition for retention of	2501
urismo Concepcion (steamer belonging to Sixto Lopez), seizure of	2604
yles, Delbert, military trial of	2090
uigley, James P., military trial of	2092
afferty, John H., military trial of	2074
agay:	
Petition for retention of United States troops	2534, 2538-2539
Promising future for	2540
Satisfaction with American occupation	2538-2539
ama, Leandro Locsin y, governor of Occidental Negros, letter to Col. C. W.	
Miner	2465, 2496-2497
amirez, Juan, military trial of	2072
amirez, Manuel, presidente of Balayan, Batangas:	
Accusations against Lopez family	2618
Action criticized	2631-2633
Activity in favor of Americans	2617-2618, 2631
Aids Americans in Batangas	2618-2619
Enemy of Lopez family	2609, 2614
Favorite with Americans	2616
Letter to committee in Batangas relative to Lopez family	2618-2620
Proposed reply of Mariano Lopez to charges	2640-2641
Reprehensible conduct	2616
Secret denouncement of leading Filipinos	2617
Statement relative to action of Lopez brothers leading up to their arrest.	2618-2620
Unpopular with leading Filipinos	2616
amos family:	
Action respecting insurrection	2617
Nicolas Ramos, liquor dealer, trouble at place of business	2617, 2632
au, William, military trial of	2081
aymond, George A., military trial of	2111
aymond, Lieutenant, friendly to Lopez family	2651
ead, Capt. Robert D., Tenth United States Cavalry, address	2442
eady, William J., military trial of	2074
real estate, Manila, used by American army	2351-2353
ardon, Frederick, military trial of	2084
ardon, John, military trial of	2080
ceipts, Manila, estimates for year ending June 30, 1902	2348-2349
ecoletan friars, claim of cows sold by Manuel Lopez	2609
ecoleto, or Unshed Augustines, lands in Imus and Bacoor	2405
eccentration, effects of	2610
eeve, Sidney, military trial of	2076
eeve, Lieut. Horace M., certificate of meritorious services of Mariano Lopez in Batangas	2614-2615
eligion, Cagayan	2197
estrictions defined by Filipino commissioners as "limitations" ...	2718, 2721, 2724
etalia, Confederate government	2815
etribution, Confederate government	2815
evenue, Hocos Sur	2423-2424
eyes, Alfonso, military trial of	2071
eyes, S., coauthor of political pamphlet in Bataan	2211-2214
eynolds, Noah, military trial of	2087
hole, William P., report to Attorney-General L. R. Wilfley on conditions at Jiminez	2198-2204
hodes's History of the United States:	
Extract from, relating to political prisoners during civil war	2593
Reference to	2598
ice:	
Benguet	2419
Cultivation of	2363-2364
Restrictions on purchase of, at Jiminez	2201
Smuggling of, into Samar	2341
ichardson, Charles H., military trial of	2075

Robinson, George W., military trial of.....
 Roe, J. T. U., military trial of.....
 Roland, Charles A., military trial of.....
 Romero, Jose, letter to commander in chief of American forces in the
 requesting officer to be stationed at Bais.....
 Rosario, lands of Shod Augustin Friars.....
 Rosario, Jose del, municipal presidente of Santa Cruz, orders building
 Ippine Sugar Estates Development Company, Limited, torn down.....
 Ross, Clinton J., military trial of.....
 "Rough and Ready" truce of ten days agreed upon between General
 and Sherman.....
 Rowan, Port J., military trial of.....
 Rowe, Dr. A. C., order for execution by Maj. George M. Houston
 1882).....
 Rusher, James A., military trial of.....
 Ryan, Captain:
 Characteristics.....
 Conduct inimical to civil government.....
 Drastic measures.....
 Operations at Jiminez.....
 Complaints by people of.....
 Opinion of—
 American occupation.....
 Filipinos.....
 Ryan, John, military trial of.....
 Sacdalan, Pio, military trial of.....
 Sage, Adj. W. H., report on complaint of Hadji Butu respecting
 of money under forestry regulations.....
 Salaries:
 Cavite—
 Government officials.....
 Municipal officers.....
 Jolo, Sultan, and datos.....
 Saloons, Manila, troublesome region.....
 Samar.
 Commerce of—
 Field orders, No. 1, of General Smith concerning.....
 With Leyte.....
 Communication with Leyte restricted.....
 Eleventh Infantry.....
 Emigration from, discouraged.....

	Page.
amar—Continued.	
Seventh Infantry.....	2445
Smuggling of rice.....	2341
Tenth Cavalry	2445
Twelfth Infantry.....	2446
Twenty-sixth Infantry.....	2445
amples, Capt. W. R., action respecting arrest of Fausto Bihasa	2183
an Antonio (Zambales Province):	
Fear of ladrones.....	2533-2534
Petition for retention of United States troops.....	2533-2534
Satisfaction with American rule	2533-2534
an Carlos:	
Petition for retention of—	
United States troops.....	2462, 2466-2467, 2497, 2501
Lieutenant Mulliken	2495
Protest against withdrawal of United States troops.....	2501
an Francisco de Malabon, lands of Shod Augustin Friars.....	2405
an Joaquin, petition for retention of United States troops	2463, 2481, 2510
an Jose de Buenavista, petition for retention of—	
United States troops.....	2463, 2475, 2515, 2529-2530
Maj. J. F. Huston.....	2515, 2542
an Jose de Cavite Hospital, lands in Cavite.....	2405
an Juan, Esteban, military trial of.....	2072
an Miguel, petition for retention of—	
United States troops.....	2463, 2480, 2481, 2510, 2511
Corpl. Fred W. Jenny and detachment.....	2480, 2481, 2510
an Narciso, Tayabas, petition for United States troops.....	2534
an Pablo, Antanacio, military trial of.....	2071
an Remigio:	
Loyalty to American rule	2527
Petition—	
For retention of United States troops	2527
That palay be placed under protection of.....	2516, 2527
andakan, Rajah of, relations to North Borneo Company	2229
andoval, Rufe, designs on Cuyo	2518
anitation:	
Benguet	2421
Capiz.....	2276
anros, Dimas de los, military trial of.....	2071
anta Barbara, petition for retention of United States troops	2463, 2517
anta Cruz de Malabon:	
Disputes respecting ownership of lands	2405
Judge, protest against ruling of.....	2404
Judicial proceedings affecting the Philippine Sugar Estates Development	
Company, Limited	2367-2370
Justice of the peace, complaints against	2404-2405
Lands of Dominican Friars.....	2405
anta Magdalena:	
A small town in southeastern Sorsogon	2826
Presidente, arrest and death of—	
Investigation ordered by Governor Livingston.....	2829
Reports and affidavits	2825-2846
Testimony of Quintin Gamit	2840-2846
Secretary, arrest reported by Governor J. G. Livingston	2828
anta Mario, Emilio, military trial of.....	2072
antor, Arcadio de los, military trial of	2071
antor, Ciracio Dando de los, military trial of	2071
antor, Juan de los, scout at Jiminez.....	2203
ara, petition for retention of United States troops.....	2463, 2517
arapoddia, Maharajah, letter of Maj. C. A. Williams to.....	2150
awyer, F. D., school-teacher at Leon:	
Article in Hilo Times on conditions after withdrawal of United States	
troops	2463
Letter to Hon. H. N. Bring, superintendent of schools, island of Panay ..	2512
canlain, Thomas J., military trial of.....	2079
carborough, William E., military trial of	2100

- Schoeffel, Capt. Francis H., Ninth United States
 Schofield, Charles B., military trial of
 Schofield, General, General Orders, No. 86 (Au
 in Missouri
 Scholtz, Will F., military trial of
 Schools:
 Capiz
 Jiminez
 Teachers—
 American, petition for, at Dao
 Cavite
 Schuck, Charles:
 Letter respecting Selungan and his offenses..
 Report—
 Charge of theft against Butu
 Child stealing
 Complaint of Hatib Ismailah
 Scott, Gen. Winfield:
 Autobiography, reference to
 General Orders, No. 372 (Dec. 12, 1847), gue
 Scouts, Department of the Visayas:
 Cebu
 Leyte
 Negros
 Panay
 Scrugge, William, military trial of
 Searcy, William, order for execution by Maj. G
 1862)
 Sebaste:
 Ladrones—
 Fear of
 Hostility of
 Loyalty to United States Government
 Petition for United States troops
 To protect palay
 Secretary of War:
 Correspondence with General Chaffee relative
 Bell, transmitted to Philippine Committee
 Documents transmitted to Philippine Comm
 Investigation of conduct of troops in Philipp
 Letter and documents from Governor Taft tr
 mittee
 Letter to Philippine Committee concerning
 Minutes of Commission between General
 transmitted to Philippine Committee
 Petitions of natives of Philippines asking rete
 copies transmitted to Philippine Committe
 Philippine Commission, authority upheld by
 Roster of army officers furnished to Philippi
 Statement of—
 Gen. William Crozier, relative to explosiv
 ippine Committee
 Mr. Conant, relative to Philippine Coina
 Committee
 Telegram to General Chaffee concerning Maj
 Seddon, James A., Secretary of War, U. S. A.,
 regard (November 30, 1862), slaves armed by I
 Seemann, Lieutenant, meritorious services at Cal
 Self government, desire of Filipinos for
 Selungan, offenses in Mindanao
 Serapi, Jose, letter to governor of Philippine
 Bhaya
 Servants, Cavite
 Seventh Infantry, Samar
 Shandao, William, military trial of
 Shanks, Mr., provost marshal of Capiz, meritorious

	Page.
Shenandoah Valley, operations of Gen. P. H. Sheridan in:	
Conditions after raid.....	2808
Effect	2808
Orders of General Grant (August 26, 1864).....	2807
Report of General Sheridan to General Grant (October 7, 1864)	2807-2808
Sheridan, Gen. P. H., military operations in Shenandoah Valley, Va.:	
Orders of General Grant (August 26, 1864).....	2807
Relative to food products.....	2808
Report to General Grant (October 7, 1864)....	2807-2808
Sherman, Gen. W. T.:	
Agreement with General Hood for ten days' truce at Atlanta (September 12, 1864).....	2808
Letter to—	
General Burbridge (June 21, 1864), military affairs in Kentucky.....	2805
Gen. J. B. Steedman (June 23, 1864), relative to use of torpedoes ...	2804
Measures in Georgia as to food products.....	2808
Orders for destruction of Atlanta (November 11, 1864).....	2807
Special Field Orders, No. 12 (January 14, 1865), conditions in Georgia.	2808-2809
Shobe, Frank, military trial of	2095
Shockness, Grant, military trial of.....	2087
Shod Augustins, lands in San Francisco de Malabon, Rosario, and Noveleta..	2405
Shroff, Abel J., military trial of	2095
Shuster, W. Morgan, collector of customs, Manila:	
Commercial regulations in Jolo—	
Letter to—	
Acting Governor Luke E. Wright, inclosing reports on.....	2226
Secretary of Finance and Justice, Philippine Commission, Manila	2222-2225
Report	2222
Sibonga, petition for retention of United States troops	2462, 2480, 2519
Signal Corps, U. S. A., department of the Visayas	2451
Silas:	
Petition for—	
Troops	2508
Retention of—	
United States troops.....	2462, 2528-2529
Lieutenant Drouillard, Sixth Infantry	2502, 2529
Lieutenant Purdy, Sixth Infantry	2501
Satisfaction with American occupancy	2528-2529
Simpson, John, military trial of	2078
Sims, Denton L., military trial of.....	2094
Sims, Charles M., military trial of.....	2090
Sixteenth Regiment, United States Infantry, operations in the Philippines...	2285
Sixth United States Artillery, Department of the Visayas	2451
Sixth United States Infantry, Department of the Visayas.....	2451-2452
Company M—	
Excellent conduct of.....	2480
Request of people of pueblos of province of Iloilo for retention of.	2480, 2481
Slavery:	
General Orders, No. 252, President Lincoln, July 31, 1863.....	2809
Jolo.....	2126, 2140-2141, 2144
Slaves—	
Arming of, by Union Army in civil war, General Orders, No. 60 (August 21, 1862), S. Cooper	2816
Letter of James A. Seldon (November 30, 1862), to General Beauregard.....	2816-2817
Stolen by Selungan	2160
Sleet, Harry, military trial of	2160
Smelser, Michael C., military trial of	2164
Smith, Arthur, military trial of.....	2166
Smith, Bell & Co.:	
Letter to Governor Grant respecting commerce between Leyte and Samar.	2173
Protest against curtailment of commercial privileges in Leyte.....	2167
Smith, Capt. E. V., action respecting arrest of Fausto Bihara.....	2183
Smith, Col. James F., a commissioner appointed by General Otis to confer with commissioners of Aguinaldo.....	2709

between Leyte and Samar	
Requests transfer of Leyte from civil to military control	
Smith, Howard P., military trial of	
Smith, Lieutenant, Twenty-sixth Infantry, meritorious services at I	
Smith, Maj. Fred A.:	
Letter to adjutant-general Philippines on conditions in Marindu	
Marinduque, alleged reconcentrado orders	
Meritorious services in Laoang	
Smith, Oliver, military trial of	
Smith, Warren C., military trial of	
Snyder, Ernest R., military trial of	
Snyder, Frank, military trial of	
Soil, Benguet	
Sorsogon	
Disturbances by ignorant mountain people	
Murder of Filipinos at alleged, improbability of story	
Report of J. G. Livingston with inclosures	
Souther, John L., military trial of	
Sovereignty:	
Declaration by United States, distrust of	
Discussion between commissioners of Aguinaldo and General O	
Spain:	
Rule in Cavite	
Sultan, Belayan and Kudaranga, peace treaty with, and datos..	
Jolo—	
Incorporation of sultanhip	
Peace treaty with, and datos, July 22, 1878.	
Relations with	212
Under act of April 30, 1851.	
Treaty with	
Spurlock, James T., military trial of	
Stahl, Fred, military trial of	
Stanley, Benjamin, military trial of	
Steinwehr, General, General Orders, No. 54, S. Cooper, adjutant and	
general (August 1, 1862)	
Stenographers for Philippines, difficulty of obtaining	
Stephens, Frank, military trial of	
Stewart, Alexander, military trial of	
Stokes Cornelius, military trial of	
Stone, Charles H., military trial of	
Stone quarries, Meycannavan	

	Page.
Sullivan, Sergeant, Twenty-sixth Infantry, opinion of situation at Leon.....	2513
Sulu archipelago, tribes of	2124
Tummers, Leo, military trial of	2089
Umat, Fort, capture by General Gillmore	2804
Upper, Eugene, military trial of	2096
Uppies, enemy's country, military order of Gen. Robert E. Lee (June 21, 1863)	2863
Supreme Court of the United States:	
Case of "Mrs. Alexander's Cotton," referred to	2596
Opinion as to military government during hostilities	2591
Upton, William R., military trial of	2083
Uweat, Col. O. W.:	
Letter to—	
Chiefs of the Tawitawi Islands respecting fighting	2145
Dato Mohamed Amilhussin on barbaric conditions	2146
Report—	
Charge of theft against Aperka, a Moro	2158
Child stealing	2158
Uwares, Pablo, military trial of	2071
Uwoban:	
Arrest of number of inhabitants	2336, 2339
Order of presidente respecting boats	2337
Patrolling of town	2336
Uwst, Governor:	
Letters and documents transmitted by Secretary of War to Philippine Committee	2118, 2119
Transmits 10 documents to Secretary of War for Philippine Committee	2335
Uwghilanan, petition for retention of United States troops	2462, 2519-2520
Uwghart, Major, Twenty-eighth Volunteers, opinion of Manuel Ramires	2617
Uwghir, Panglima Hadji, desire to surrender	2148
Uwghim Island:	
Lopez brothers imprisoned on	2589, 2607
Disturbances	2337
Uwghalan, petition for retention of United States troops	2473, 2506
Uwghinay, petition for retention of United States troops	2482
Uwghuan, church festival, military order concerning	2337, 2340
Uwghas, petition for United States troops	2473, 2506, 2517
Uwghlac:	
Conditions	2399-2401
Improved under American rule	2399
Constabulary	2399
Municipal governments run smoothly	2399
Population	2399
Uwghitawi Islands:	
Barbaric conditions	2146
Chiefs, letter of Col. O. W. Sweet respecting fighting	2145
Uwghation:	
Cavite	2411
Ilocos Sur	2424, 2425
Uwghabas:	
Conditions	2206
Forts ordered closed	2206
Loyalty of inhabitants	2206
Military control	2206
Municipal authorities, letter to Maj. Cornelius Gardener, governor	2206
Uwghyman, Capt. Charles E., First United States Infantry, address	2442
Uwghilano, Venancio, attack on, in barrio of Calao	2508
Uwghlegrapha, Cavite	2411
Uwghlephone, petition for, at Dao	2463, 2507-2508
Uwghenth Cavalry, Samar	2445
Uwgherrell, John W., military trial of	2087
Uwghirty-eighth Infantry, United States Volunteers, Department of the Visayas	2455-2456
Uwghomas, Lieut. Bissell, military trial of	2081
Uwghomas, Nelson, military trial of	2078

- Thompson, Gen. Jeff (the Swamp Fox):
 Capture
 Military orders (September 2, 1861), martial
 Thorp, Walter S., military trial of
 Tibiao, petition for retention of United States troops
 Tiguayan, petition for retention of United States troops
 Tillotson, Charles, order for execution, by General
 Timber
 Tolentino, Aurelio, coauthor of political pamphlet
 Tomlinson, William, military trial of
 Topas, petition for United States troops
 Torpedoes
 Confederate place, near wells, springs, etc
 McCallan to Secretary of War
 Prisoners required to move, order of Gen. C
 1862)
 Use of, in war, letter of Gen. W. T. Sherman
 (June 23, 1864)
 Torres, Señor Florentino:
 A commissioner appointed by Aguinaldo to
 General Otis
 Protectorate desired by Filipinos, views concerning
 Statement to commissioners of General Otis
 Filipinos and Americans
 Torres, Isidoro, military trial of
 Townsend, George F., military trial of
 Townsend, Thomas C., military trial of
 Trapiel, Marcelino, military trial of
 Treaty of 1836 with Sultan of Jolo
 Treaty of 1837 with Sultan of Jolo
 Treaty of Paris, obligations of United States under
 Tremier, Sergt. George J., affidavit relative to war
 of Santa Magdalena
 Trias, Mariano, governor of Cavite, report of
 Truce, agreement for ten days', between General S
 Atlanta (September 12, 1864)
 Tubungan.
 Petition for—
 United States troops
 retention of United States troops
 Tulisanes
 Robber bands
 Fear of, by Analae
 Hostility toward Donsol
 Turnbull, Jr., Walter, military trial of
 Turner, William, military trial of
 Tucson, Juan, military trial of
 Twelfth Infantry, Samar
 Twenty-sixth Infantry, United States Volunteers
 Department of the Visayas
 Samar
 Ubay, petition for retention of United States troops
 United States
 Army. (See United States Army)—
 Authorities in Philippines, position and
 Civil war
 Detentions of citizens
 Military orders in regard to burning
 Prisoners
 Declaration of sovereignty over Philippines, etc
 Desire to avoid hostilities in Philippines
 Military authorities. (See United States military
 Money. (See United States money))
 Policy toward—
 Philippines, Filipinos impatient for declaration
 Not to bring on conflicts in Philippines.

	Page.
United States—Continued.	
Relations with the Sultan of Jolo	2123 et seq.
Treatment of inhabitants of Mindanao	2123
Troops. (See United States troops.)	
United States Army, Signal Corps, department of the Visayas	2451
United States military authorities:	
Conflict with Philippine Commission, letter of General Chaffee to Acting Governor Wright concerning	2167-2169
Difficulties with Philippine Commission	2163-2169
Relations with Philippine Commission	2164
United States money, difficulty of obtaining, in Philippines	2821
United States troops:	
Abandonment of military posts	2218-2219
Recommended by Henry T. Allen, chief Philippine constabulary	2215-2218
Towns in Leyte	2345
Distribution in Iloilo	2509-2510
Retention of, in Philippines—	
Natives, desire of majority for	2525
Petition of, for retention transmitted by Secretary of War to Philippine Committee	2461
Petitions for—	
Abuanan	2462, 2490-2491, 2497-2498, 2531-2532
Alegia	2462, 2490
Alimodian	2463, 2481, 2510
Anilae	2503
Bacalan	2463, 2490
Bacolod	2462
Bais	2500
Balasan	2463, 2475
Balete	2473, 2506
Balisan	2507-2508
Banate	2462, 2470-2471, 2502-2503
Baratoc	2463
Barotac Nuevo	2485, 2514
Batan	2473, 2506
Bidaton	2463, 2480
Bohol	2462, 2488-2489
Bulan	2534, 2540-2542
Cabancalan	2462
Cabatuan	2462, 2472, 2488, 2503-2505
Calape	2462, 2488-2489, 2519-2520
Calinog	2463, 2516
Capiz	2462, 2473
Carcar	2462
Castellana	2462
Cebu	2462
Colasi	2463, 2480
Quartero	2473, 2506
Cuyo	2463
Dao	2463, 2475
Dingle	2463, 2485, 2514
Donsol	2534, 2536-2537
Duenas	2462, 2516
Dumangas	2463, 2476-2477, 2486-2487
Dumanjug	2490, 2519
Estancia	2463, 2475, 2507-2508
Granada	2462, 2468, 2493-2494
Guijulugan	2494
Guimbal	2463, 2481, 2510
Gulnjugan	2462, 2468
Ignarus	2463, 2481, 2510, 2511
Iloilo	2463, 2517
Irosin	2534
Isabela	2462, 2499-2500, 2523
Jagnaya	2462, 2473, 2506
Januay	2463
Jimeno, Capiz	2473, 2508
Jimamaylan	2522
La Castellana	2522

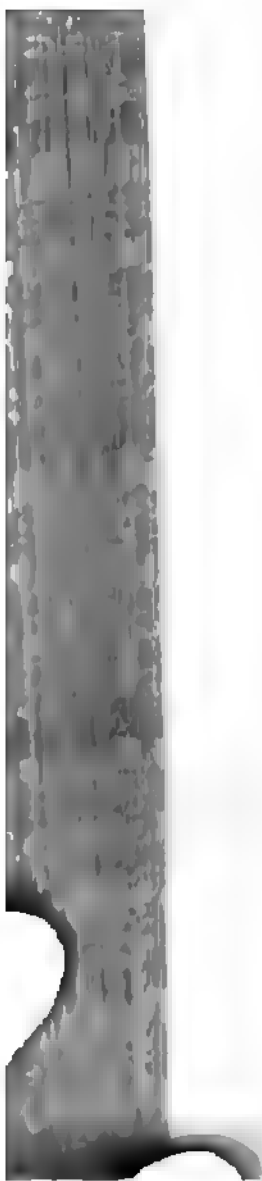
Leso	
Loay	
Lupi	
Maasin	2461
Macato	
Mambuso, Capis	
Manapla	
Mandano	
Matnog	
Mingao	
Nabales	
Negros	
Nuevo	
Numancia	
Occidental Negros	
Oton	
Panay	
Pandan	
Passi	
Patnongan	
Picazo	
Pilar	
Pototan	
Ragay	
Samar	
San Antonio	
San Carlos	2462, 2464
San Joaquin	
San Jose de Buenavista	2463, 2471
San Miguel	2463, 2464
San Narciso	
San Remigio	
Santa Barbara	
Sara	
Sebasto	2461
Sibonga	
Silas	
Tagbilaran	
Tangalan	
Taninay	
Tapas	
Tibiao	
Tigbauan	
Topas	
Tuhungan	
Ubay	246
Valladolid	
Valle Hermosa	
Victoria	
Victorias (Negros)	
Zarraga	
Unzon, Felix, arrested with Lopez brothers	
Usury, Cavite	
Valentine, William J., military trial of	
Valladolid, petition for retention of—	
Col. B. A. Byrne	
United States troops	

	Page.
Vallandigham, Hon. C. L.:	
Reportation beyond Union lines in civil war	2598
Speech in Congress relative to military prisoners during civil war.....	2594
Valle Hermosa, petition for United States troops	2468, 2494
Vattel, Law of Nations, reference to	2591
Vegetables, Benguet.....	2419
Vequilla, Ricardo, affidavit relative to Quintin Gamit.....	2834-2835
Victor, William, military trial of	2107
Victoria, petition for retention of United States troops	2478
Victorias (Negros), petitions for retention of United States troops... ..	2463, 2480, 2510
Vidal, S. Jugo, provincial governor of Capiz, report of.....	2274-2281
Viernes, Jacinto, military trial of.....	2072
Villaba, arrest of vice-president of.....	2338, 2342
Villamor, judge in Cavite, proceedings affecting the Philippine Sugar Estates Development Company, Limited	2367-2370
Vina, Jose de la:	
Requests United States troops at hacienda near Castellana	2470, 2493
At Valle Hermosa.....	2468, 2494
Virginia, orders for destruction of property (September 28, 1864).....	2807
Visayas, Department of the:	
American troops, roster of	2446-2461
Cebu scouts.....	2458
Chaplains with rank of captain.....	2449
Collectors of internal revenue	2449-2451
Eighteenth United States Infantry	2452-2453
First district (island of Leyte).....	2447
Forty-fourth Infantry, United States Volunteers.....	2457-2458
Forty-third Infantry, United States Volunteers.....	2456-2457
Fourth district (Panay).....	2447
Garrisoned stations	2450-2461
Gunboats	2446
Inspectors of customs.....	2450
Leyte scouts	2458
Medical officers	2448
Negros scouts	2458
Nineteenth United States Infantry.....	2453-2454
Officers performing civil duties.....	2449
Panay scouts	2458-2459
Paymasters	2448
Present strength.....	2446
Provost courts.....	2450-2451
Second district (Cebu and Bohol)	2447
Signal Corps, U. S. A.....	2451
Sixth United States Artillery.....	2451
Sixth United States Infantry	2451-2452
Third district (Island of Negros)	2447
Thirty-eighth Infantry, United States Volunteers.....	2455-2456
Twenty-sixth Infantry, United States Volunteers.....	2454-2455
Voters, Cavite.....	2414
Walker, Harry, military trial of.....	2077
Walker, John Bennett, letters to his parents in Massachusetts.....	2263
Walker, Lieut. Philip E. M.:	
Action respecting arrest of Fausto Bihara	2184
Statement of facts concerning	2188-2190
Walker, Michael, military trial of	2003
Walker, William H., denial of story of murder of Filipinos at Noragon ..	2262-2263
Wallace, Dan, military trial of	2008
Walsh, Bruce C., military trial of.....	2078
Walsh, Patrick J., military trial of	2065
Walsh, Thomas, military trial of	2086
War:	
Action in regard to suspicions and accusations.....	2505
Manner of conducting in Philippines	2502
Prisoners of, General Orders No. 252, President Lincoln (July 31, 1863) ..	2500
Time of hostilities, measures necessary.....	2507
Violation of laws of, General Orders No. 252, President Lincoln (July 31, 1863)	2500

Report on killing of Kadja and Ynu	
Way, Otho, military trial of	
Webb, Edgar S., military trial of	
Weights and measures, taxation of, Hoccos Sur	
Welch, William H., military trial of	
Wells, Capt. Frank L., report to Governor Grant on killing of na	
Wells, Joseph B., military trial of	
Wenner, Charles, military trial of	
Wheaton, Gen. Loyd:	
Action respecting arrest of Fausto Biham	
Report in respect to action taken against Lopez brothers	
White Lake Reservation, massacre by Indians at, effect	
White, Wilson A., military trial of	
Whitehead, Albert, military trial of	
Whitehead, William, military trial of	
Whitely, Edward, military trial of	
Widerstorm, Thorvid H., military trial of	
Wiegel, Lieut. William H., military orders (June 5, 1862), execu	
tion B. Mumford	
Williams, Clover, military trial of	
Williams, Conrad, military trial of	
Williams, Henry, military trial of	
Williams, John, military trial of	
Williams, Maj. C. A.:	
Letter of—	
To Daot Mohamad Amilhussin	
To Maharajah Sarapuddin	
To Sultan of Jolo concerning Maharajah Amilhussin	
Report of—	
Alleged hostility of Moros	
Commercial regulations in Jolo	
Moro affairs	
Telegram in reference to arms secured by Moros through foreign	
Williamaburg, military engagement near, letter of Gen. George B.	
Secretary of War, May 4, 1862	
Wilson, Willie, military trial of	
Wittenmyer, Capt. E.:	
Report in matter of arrest of presidente of Santa Magdalena	
Statement relative to Ysidro Gallanosa untrue	
Woodbury, Major, reports requests for retention of U. S. troops at	

Wright, Acting Governor Luke E.—Continued.

	Page
Telegram of—	
To Captain Bandholtz, governor-elect of Lucena, Tayabas.....	2205
To Governor Grant, respecting affairs in Leyte	2177
To Maj. Cornelius Gardener, governor of Lucena, Tayabas	2206
Wysong, J. A., order for execution by Maj. George M. Houston (September 23, 1862).....	2793
Yambert (inspector), telegram to chief of Philippine constabulary concerning conditions in Leyte.....	2179
Yancey, Thomas L., military trial of	2074
Ygnacio, Agapita, military trial of.....	2072
Ylog, petition for retention of Col. B. A. Byrne	2522
Ynu, killing of.....	2151-2152
Young, Frederick S., treasurer of Cebu, letter to Philippine Commission on conditions	2208-2211
Young, James, military trial of.....	2085
Zamboanga, inhabitants refugees from Sulu Archipelago	2124
Zarraga, petition for retention of United States troops.....	2463, 2517
Zorn, Joseph W., military trial of	2094
Zoya, Joseph, military trial of	2082



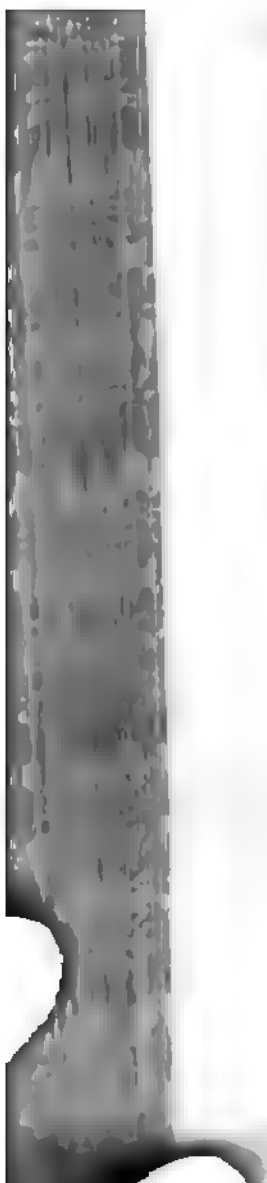
INDEX TO TESTIMONY OF D. J. EVANS.

	Page.
Aloe, Lieutenant, probably present when water cure administered..	2062, 2064, 2065
American soldiers:	
Fifty present when water cure administered in Ilocos Norte	2062
Treatment—	
Filipino prisoners	2063
Filipino wounded	2063
Peaceable Filipinos.....	2064
Bamboo, material for building houses.....	2066
Churches, burning of:	
At San Fernando.....	2069
At Taytay	2068
By insurgents on leaving towns	2069
Cruelties in administering water cure	2061
Drum, Lieutenant, present when water cure administered at Ilocos Norte	2062
Evans, Capt. Robert K.:	
In command of company administering water cure at Ilocos Norte.....	2062
Cognizant of	2062
Evans, D. J.:	
Testimony of	2060-2069
Military service of.....	2061
In Philippines	2063
Residence	2061
Water cure administered at Ilocos Norte	2061
Filipinos:	
General conduct when town invaded	2066-2068
Houses, description of	2066-2067
Peaceable, treatment of, by American soldiers.....	2064
Prisoners, treatment of	2063, 2068
Rice preferred as food	2063
Scouts capture victim of water cure	2062
Wounded—	
Admitted to hospital at Manila.....	2063
Treatment of.....	2063
Hospital, Manila, Filipino wounded admitted to.....	2063
Ilocos Norte, water cure administered at	2061
Koehler, Frank, strikes victim of water cure in stomach	2065
Laoag, Filipino prisoners confined at	2067
Lingayen, hospital at	2067
Manila, hospital, Filipino wounded admitted to	2063
Orders, American officers, peaceable Filipinos not to be molested.....	2064
Prisoners, Filipino, treatment of.....	2068
Rice, cooked, preferred by Filipinos as food.....	2063
San Fernando, church burned.....	2069
Taytay, church burned at.....	2068
Towns, burning of.....	2066
Water cure:	
American officers—	
Present at.....	2064
No effort by, to prevent indignities on victim	2065
Cruelties of	2061
Description of	2061
No concealment of treatment.....	2062
Persons administering	2061, 2065, 2066
Purpose of	2061
Victim captured by native scouts	2062
Struck in stomach by Frank Koehler	2061, 2065



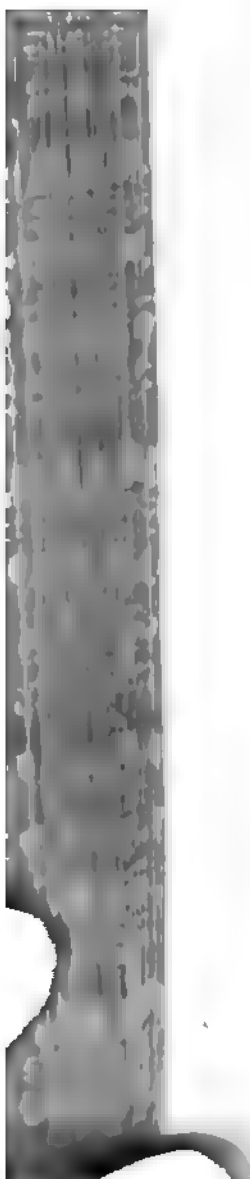
INDEX TO TESTIMONY OF SERGT. RICHARD V. HUGHES.

	Page
Barrios, definition of	2239-2240
Burning, houses	2239
Filipinos:	
Peaceable, treatment by Americans good	2242
Prisoners, treatment generally kind	2238, 2241
Treachery of	2240-2241
Treatment in hospitals good	2241-2242
Haler, Private, knocks down victim of water cure	2236-2238
Hughes, Sergt. Richard V.:	
Testimony of	2236-2242
Army service	2236
In Batangas	2242
In Philippines	2241
Residence	2236
Water cure—	
Hearsay as to	2237
Witnessed one instance of	2236
Magdalena (Laguna), water cure administered near	2236
Merchant, Lieutenant:	
Death of	2239
Orders houses occupied by women burned	2237-2239
Orders water cure administered	2236, 2239
Wife carried 7 miles by Filipino prisoners	2238
Santa Cruz, location of	2238
Santo Tomas, American soldier murdered at	2240
Stamper, Captain, orders burning of barrios	2239-2240
Stoeckele, Dr., American physician in Philippines	2241
Water cure:	
Administered by command under Lieutenant Merchant	2236
Purpose of	2236-2237
Victim cruelly treated	2236-2238



INDEX TO TESTIMONY OF ISADORE H. DUBE.

	Page.
American soldiers:	
Burn houses and rice in Panay	2245
Treatment of Filipinos	2247
Bathing, Filipinos love for	2250
Butts, Captain, intoxication of	2244
Calinog, military engagement, casualties	2249
Conger, Lieutenant:	
Roving commission of	2244
Water cure administered by, at Jaro	2243
Dube, Isadore H.:	
Testimony of	2243-2251
Military service	2243
In Panay	2248
In Philippines	2247
Residence	2243
Witnesses water cure at Jaro	2243
Dumangas, military engagement at	2245
Filipinos:	
Bathing, love for	2250
Conduct of, on American invasion of towns	2246
Murder of, by natives on account of friendship for Americans	2246
Prisoners—	
Treatment by Americans	2247
Woman, imprisoned with men	2250-2251
Glenn, Captain:	
Filipino woman imprisoned with male prisoners by order of	2243-2244
Water cure—	
Administered by, at Jaro	2243
Ordered by	2249-2250
Houses:	
Burning of, in Panay by American soldiers	2245
Filipino, description of	2247-2248
Hughes, General, orders Filipinos treated kindly	2247
Intoxication, Captain Butts	2244
Jaro:	
Military engagement at	2248-2249
American casualties	2249
Water cure administered at	2243
Panay, military engagements in	2248
Rice, burning of, by American soldiers in Panay	2245
Wagner, Lieut. Max, murder of	2245, 2246
Water cure:	
Administered at Jaro	2243
Administered by order of Captain Glenn	2249-2250
Effect of, on victim	2250
Woman, Filipino, imprisoned by order of Captain Glenn with male prisoners	2243-2244



INDEX TO TESTIMONY OF SERGT. JANUARIUS MANNING.

	Page.
Barrios, burning of	2256-2257
Conger, Lieutenant, secures first information respecting Private O'Hearn's death	2255
Cruelty, instances of, in Philippines	2256
Dugan, Private, murder of	2256
Filipinos:	
Peaceable, return to work after American invasion.....	2259
Prisoners—	
Food of.....	2255
Implicated in Private O'Hearn's murder shot in attempting to escape.....	2254, 2255
Treatment by American officers generally.....	2255-2256
Gregg, Captain, administering of water cure at Leon, in command	2257
Ordered by.....	2252
Hayes, Private, murder of	2256
Hughes, General, orders to treat Filipinos kindly	2256
Leon, water cure administered at, by Captain Gregg's command	2252
Manning, Sergt. Januarius:	
Testimony of.....	2251-2259
Military service.....	2251-2252
In Philippines.....	2252, 2255
Residence of.....	2251
Witnesses water cure at Leon.....	2252
O'Hearn, Private:	
Murder of.....	2252-2253
Confession of Filipinos.....	2253-2254
First information of.....	2255
Remains found.....	2254
Tracy, Private, murder of	2256
Water cure:	
Leon—	
Administered by Captain Gregg's command.....	2252
Description of.....	2252-2253
Hearsay respecting.....	2257-2259
Purpose of.....	2252-2253
Victims confess to murder of Private O'Hearn.....	2253-2254



INDEX TO TESTIMONY OF WILLIAM J. GIBBS.

American soldiers:		
Balangiga—		Page.
Mutilation of bodies in massacre.....	2296-2297.	2296
One soldier accused of rape, belief of American soldiers respecting ...		2296
Disappearance of.....		2296
Army orders as to treatment of Filipinos.....		2307
Balangiga:		
Alleged case of rape on native woman		2296
American forces at		2295
Arrival of.....		2298
Food products destroyed by order of Captain Connell.....		2300
Massacre—		
Burial of the dead.....		2302
Chief of police—		
Brings Filipinos from the mountains.....	2301.	2302
Conduct before.....		2297
Killed		2300
Signal given by		2292
Description of	2285 et seq.	
Survivors—		
Go to Basay.....	2306-2309	
Number of.....		2288
Natives—		
Conduct of, upon arrival of American troops.....		2294
Confined in Sibley tents	2295, 2296-2297.	2297
Employment of, by Captain Connell.....	2295, 2296-2297.	2293
Character of work done.....	2295, 2296-2297.	
Manner of feeding.....		2293
Morals of		2295
Number of, in massacre.....		2296
Occupation of		2290
Treatment of, by Captain Connell	2295, 2296-2297.	2293
Complaint of.....		2295, 2292
Unfriendliness of.....		2294-2294
Population.....		2299, 2290
Bookmiller, Captain, report of disaster at Balangiga		2287-2288
Bumpus, Lieutenant:		
Killed at Balangiga.....		2290
Mutilation of body		2296
Burke, Corporal, heroic conduct at Balangiga		2287
Cathalogan, water cure at		2293
Death by	2293	2294
Clark, Private, heroic conduct at Balangiga.....		2287
Connell, Captain:		
Character of.....		2290
Efforts to cleanse Balangiga.....	2294	2295
Food products, orders destruction of, at Balangiga.....		2300
In command of forces at Balangiga		2294
Killed at Balangiga.....		2290
Natives of Balangiga --		
Imprisoned by.....		2295
Orders to	2294	2293
Death from water cure at Cathalogan		2293-2304



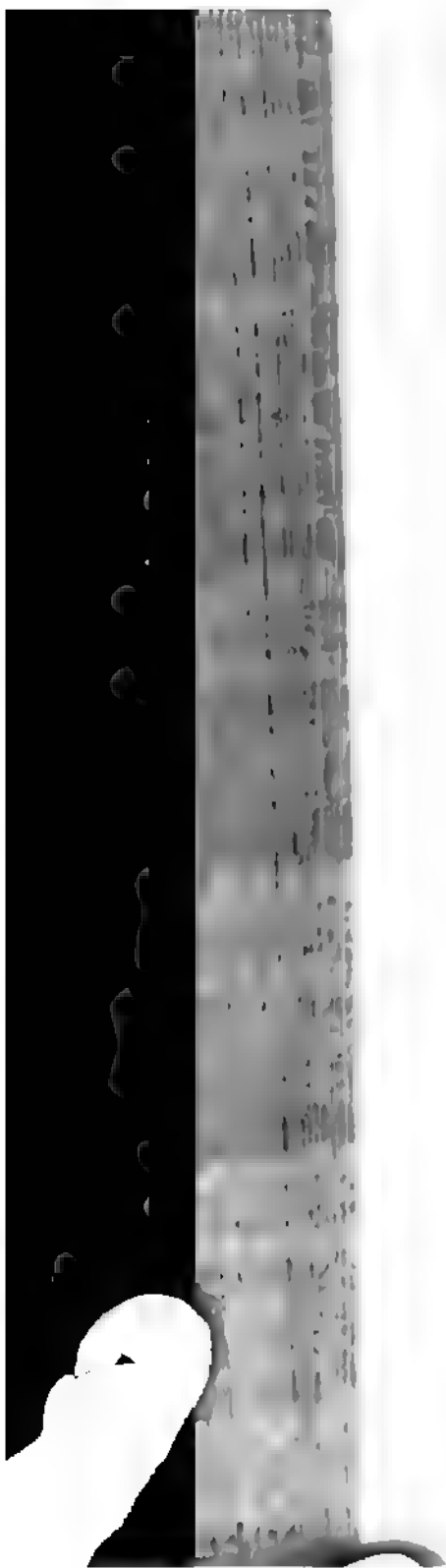
INDEX TO TESTIMONY OF D. J. EVANS.

	Page.
Aloe, Lieutenant, probably present when water cure administered..	2062, 2064, 2065
American soldiers:	
Fifty present when water cure administered in Ilocos Norte	2062
Treatment—	
Filipino prisoners	2063
Filipino wounded	2063
Peaceable Filipinos.....	2064
Bamboo, material for building houses.....	2066
Churches, burning of:	
At San Fernando.....	2069
At Taytay	2068
By insurgents on leaving towns	2069
Cruelties in administering water cure	2061
Drum, Lieutenant, present when water cure administered at Ilocos Norte	2062
Evans, Capt. Robert K.:	
In command of company administering water cure at Ilocos Norte.....	2062
Cognizant of	2062
Evans, D. J.:	
Testimony of	2060-2069
Military service of.....	2061
In Philippines	2063
Residence	2061
Water cure administered at Ilocos Norte	2061
Filipinos:	
General conduct when town invaded	2066-2068
Houses, description of	2066-2067
Peaceable, treatment of, by American soldiers.....	2064
Prisoners, treatment of	2063, 2068
Rice preferred as food	2063
Scouts capture victim of water cure	2062
Wounded—	
Admitted to hospital at Manila.....	2063
Treatment of.....	2063
Hospital, Manila, Filipino wounded admitted to.....	2063
Ilocos Norte, water cure administered at	2061
Koehler, Frank, strikes victim of water cure in stomach	2065
Laosag, Filipino prisoners confined at	2067
Lingayen, hospital at	2067
Manila, hospital, Filipino wounded admitted to	2063
Orders, American officers, peaceable Filipinos not to be molested.....	2064
Prisoners, Filipino, treatment of.....	2068
Rice, cooked, preferred by Filipinos as food.....	2063
San Fernando, church burned.....	2069
Taytay, church burned at.....	2068
Towns, burning of.....	2066
Water cure:	
American officers—	
Present at.....	2064
No effort by, to prevent indignities on victim	2065
Cruelties of	2061
Description of	2061
No concealment of treatment.....	2062
Persons administering	2061, 2065, 2066
Purpose of	2061
Victim captured by native scouts	2062
Struck in stomach by Frank Koehler	2061, 2065



INDEX TO TESTIMONY OF SERGT. RICHARD V. HUGHES.

	Page
Barrios, definition of	2239-2240
Burning, houses.....	2239
Filipinos:	
Peaceable, treatment by Americans good.....	2242
Prisoners, treatment generally kind.....	2238, 2241
Treachery of	2240-2241
Treatment in hospitals good.....	2241-2242
Haler, Private, knocks down victim of water cure.....	2236-2238
Hughes, Sergt. Richard V.:	
Testimony of.....	2236-2242
Army service	2236
In Batangas.....	2242
In Philippines	2241
Residence.....	2236
Water cure—	
Hearsay as to	2237
Witnessed one instance of.....	2238
Magdalena (Laguna), water cure administered near	2236
Merchant, Lieutenant:	
Death of.....	2239
Orders houses occupied by women burned	2237-2239
Orders water cure administered	2236, 2239
Wife carried 7 miles by Filipino prisoners.....	2238
Santa Cruz, location of.....	2238
Santo Tomas, American soldier murdered at.....	2240
Stamper, Captain, orders burning of barrios.....	2239-2240
Stoeckele, Dr., American physician in Philippines	2241
Water cure:	
Administered by command under Lieutenant Merchant.....	2236
Purpose of	2236-2237
Victim cruelly treated	2236-2238



INDEX TO TESTIMONY OF ISADORE H. DUBE.

	Page.
American soldiers:	
Burn houses and rice in Panay	2245
Treatment of Filipinos.....	2247
Bathing, Filipinos love for.....	2250
Butts, Captain, intoxication of	2244
Calinog, military engagement, casualties.....	2249
Conger, Lieutenant:	
Roving commission of	2244
Water cure administered by, at Jaro.....	2243
Dube, Isadore H.:	
Testimony of	2243-2251
Military service	2243
In Panay	2248
In Philippines	2247
Residence	2243
Witnesses water cure at Jaro.....	2243
Dumangas, military engagement at.....	2245
Filipinos:	
Bathing, love for.....	2250
Conduct of, on American invasion of towns	2246
Murder of, by natives on account of friendship for Americans	2246
Prisoners—	
Treatment by Americans	2247
Woman, imprisoned with men.....	2250-2251
Glenn, Captain:	
Filipino woman imprisoned with male prisoners by order of	2243-2244
Water cure—	
Administered by, at Jaro	2243
Ordered by.....	2249-2250
Houses:	
Burning of, in Panay by American soldiers.....	2245
Filipino, description of	2247-2248
Hughes, General, orders Filipinos treated kindly.....	2247
Intoxication, Captain Butts	2244
Jaro:	
Military engagement at.....	2248-2249
American casualties	2249
Water cure administered at	2243
Panay, military engagements in.....	2248
Rice, burning of, by American soldiers in Panay	2245
Wagner, Lieut. Max, murder of.....	2245, 2246
Water cure:	
Administered at Jaro.....	2243
Administered by order of Captain Glenn.....	2249-2250
Effect of, on victim.....	2250
Woman, Filipino, imprisoned by order of Captain Glenn with male prisoners.....	2243-2244



INDEX TO TESTIMONY OF SERGT. JANUARIUS MANNING.

	Page.
Barrios, burning of.....	2256-2257
Conger, Lieutenant, secures first information respecting Private O'Hearn's death.....	2255
Cruelty, instances of, in Philippines.....	2256
Dugan, Private, murder of	2256
Filipinos:	
Peaceable, return to work after American invasion.....	2259
Prisoners—	
Food of.....	2255
Implicated in Private O'Hearn's murder shot in attempting to escape	2254, 2255
Treatment by American officers generally.....	2255-2256
Gregg, Captain, administering of water cure at Leon, in command.....	2257
Ordered by	2252
Hayes, Private, murder of	2256
Hughes, General, orders to treat Filipinos kindly	2256
Leon, water cure administered at, by Captain Gregg's command.....	2252
Manning, Sergt. Januarius:	
Testimony of.....	2251-2259
Military service	2251-2252
In Philippines	2252, 2255
Residence of	2251
Witnesses water cure at Leon	2252
O'Hearn, Private:	
Murder of	2252-2253
Confession of Filipinos.....	2253-2254
First information of	2255
Remains found.....	2254
Tracy, Private, murder of.....	2256
Water cure:	
Leon—	
Administered by Captain Gregg's command.....	2252
Description of.....	2252-2253
Hearsay respecting	2257-2259
Purpose of	2252-2253
Victims confess to murder of Private O'Hearn.....	2253-2254



INDEX TO TESTIMONY OF WILLIAM J. GIBBS.

American soldiers:

Balangiga—

Mutilation of bodies in massacre..... 2296-2297, 2298

One soldier accused of rape, belief of American soldiers respecting ... 2298

Disappearance of..... 2298

Army orders as to treatment of Filipinos..... 2307

Balangiga:

Alleged case of rape on native woman 2298

American forces at 2298

Arrival of..... 2298

Food products destroyed by order of Captain Connell..... 2300

Massacre—

Burial of the dead..... 2302

Chief of police—

Brings Filipinos from the mountains..... 2301, 2302

Conduct before..... 2297

Killed 2300

Signal given by 2292

Description of..... 2295 et seq.

Survivors—

Go to Bamy..... 2306, 2300

Number of..... 2298

Natives—

Conduct of, upon arrival of American troops..... 2294

Confined in Sibley tents 2295, 2290-2291, 2297

Employment of, by Captain Connell..... 2295, 2290-2291, 2303

Character of work done..... 2295, 2290-2291

Manner of feeding..... 2293

Morals of 2295

Number of, in massacre..... 2298

Occupation of 2290

Treatment of, by Captain Connell..... 2295, 2290-2291

Complaint of..... 2295, 2292

Unfriendliness of..... 2294-2294

Population..... 2290, 2290

Bookmiller, Captain, report of disaster at Balangiga 2287-2288

Bumpus, Lieutenant:

Killed at Balangiga..... 2290

Mutilation of body 2298

Burke, Corporal, heroic conduct at Balangiga 2297

Cathalogan, water cure at 2293

Death by 2293, 2294

Clark, Private, heroic conduct at Balangiga..... 2297

Connell, Captain:

Character of..... 2290

Efforts to cleanse Balangiga..... 2284, 2295

Food products, orders destruction of, at Balangiga..... 2290

In command of forces at Balangiga 2294

Killed at Balangiga..... 2290

Natives of Balangiga—

Imprisoned by..... 2295

Orders to 2294-2293

Death from water cure at Cathalogan 2303-2304

Filipinos

Mountaineers—	
Amuscular people.....	.....
Brought to Balangiga.....	.....
Peaceable, treatment by Americans.....	.....
Prisoners—	
Treatment by Americans.....	.....
Required to carry accouterments of America	
Treatment generally by Americans.....	.....
Women, generally virtuous.....	.....
Compared with American women in respect	
Wounded, treatment by Americans.....	.....
Food products, destruction of, by order of Captain C	
Gibbs, William J.....	.....
Testimony of.....	.....
Military service.....	.....
In Philippines.....	.....
Occupation.....	.....
One of the survivors of the massacre at Balangiga	
Residence.....	.....
Treatment of Filipinos.....	.....
Water cure, never witnessed by.....	.....
Griswold, Major, killed at Balangiga.....	.....
Morals, natives of Balangiga.....	.....
Rape, alleged, on native woman of Balangiga, by At	
Not believed by American officers.....	.....
Rice, destruction of, by order of Captain Connell at	
Samar, evidences of water cure.....	.....
Subley tents, natives of Balangiga confined in.....	.....
Water cure	
Administering of, at Cathalogan.....	.....
Death from.....	.....
By scouts.....	.....
Dirty water used in.....	.....
Effects of.....	.....
Evidences of	
At Cathalogan.....	.....
In Samar.....	.....
Sea water used in.....	.....
Women, Filipino:	
Generally virtuous.....	.....
Native woman of Balangiga charges American so	

INDEX TO TESTIMONY OF GEORGE T. BOARDMAN.

	Page.
American soldiers in Philippines:	
Conduct of.....	2320
Discouraged with system of warfare	2319-2320
Effect on—	
General Smith's order to kill and burn in Samar	2314 2315
Service	2324
Fear of Tagalos.....	2314
Food—	
Disgusted with	2324
Manner of getting	2320, 2326-2327
Manila, taunted by Filipinos.....	2315
Opinion of—	
Civil government in islands	2332
General Chaffee.....	2331
Governor Taft	2331
Philippine Commission	2331
Batangas:	
Insurrection in.....	2312
Water cure in, witnessed by George T. Boardman	2327
Bauan:	
Burning of.....	2328
Population.....	2314, 2328
Tagalos threaten Americans.....	2314
Boardman, George T.:	
Conversations in Washington concerning Philippine matters	2323
Little respect for American Army	2324
Military service—	
In Philippines	2310, 2319
On police duty in Manila	2316
Rations for Army, samples exhibited by.....	2325
Residence	2310
School teacher at San Nicolas, Ilocos Norte	2310, 2318
Testimony of.....	2310-2313
Transportation from Philippines, controversy respecting	2333-2334
Camp Wallace, located at Luneta.....	2334
Chaffee, General, liked by American soldiers	2331
Civil government, Philippines, disliked by American soldiers	2332
Company C, Ninth Infantry, massacred in Batangas, September 28, 1901.....	2314
Counterfeit money, passing of:	
By Filipinos, punishment for.....	2316, 2329
By Hongkong Bank in Manila, no punishment for.....	2316 2317
Cruelty witnessed by George T. Boardman in Luzon.....	2310
Filipinos:	
A lazy people	2320
Manila, taunt American soldiers.....	2315
Methods of securing information from	2311, 2313, 2327-2328
Native girl sold to Chinaman in Manila.....	2316
Prisoners, treatment of	2319
Punishment for passing counterfeit money	2329
Refusal to implicate murderers of Filipino boy Thomas	2328
Results of taking oath of allegiance.....	2326
Sick, treatment in hospitals good.....	2319
Treachery of.....	2312 2314
Treatment of, by American soldiers.....	2322
Food:	
Disgusts American soldiers in Philippines.....	2324
Samples of, exhibited.....	2325

LXXIV INDEX TO TESTIMONY OF GEORGE T. BOARDMAN.

Guerrilla warfare, Samar.....	231
Hongkong Bank passes counterfeit money in Manila.....	2316-2317
No punishment for.....	2317
Ilocos Norte, people of:	
Pacified.....	2317
Proud of American rule.....	2317
Ladrones, robbers in Philippines.....	2317
Law, Spanish:	
In force in the islands.....	2317
Inequalities of.....	2317
Luna, General, high respect of Filipinos for.....	2317
Luneta, location of Camp Wallace at.....	2317
Luzon, cruelty in.....	2317
Malvar (Filipino commander), surrender of.....	2317
Manila:	
Counterfeit money passed in, by Hongkong Bank.....	2316-2317
Filipinos taunt American soldiers.....	2317
Sale of a little Filipino girl to Chinaman.....	2317
Military rule, objectionable features.....	2317
Oath of allegiance, results of Filipinos taking.....	2317
Orders, military, good treatment of Filipinos.....	2317
Otis, General, order concerning outlawry.....	2315, 2316-2317
Outlawry:	
Definition of term.....	2317
General Otis's order concerning.....	2315, 2316-2317
Pedro, a Filipino:	
In Bilibid prison for theft.....	2317
Unjust sentence of.....	2317-2318
Philippines:	
Philippine Commission disliked by American soldiers.....	2317
Service in, effect on American soldiers.....	2317
Population, Bauan.....	2314, 2315
Punishment:	
Filipinos treated more severely than Americans for similar offenses..	2316-2317
Passing counterfeit money, Hongkong Bank exempt from.....	2317
Rations:	
Disgust American soldiers in Philippines.....	2317
Samples of, exhibited.....	2323, 2324
Samar, guerrilla warfare.....	2317
San Nicolas, Ilocos Norte:	
Establishment of school at.....	2317
Pupils of.....	2317
Schools:	
Establishment of, generally practiced by American authorities.....	2317
San Nicolas, Ilocos Norte.....	2317
Smith, General:	
Effect of order to kill and burn in Samar on American soldiers....	2314-2315
On Tagalos.....	2314-2315
Spanish law:	
In force in the islands.....	2317
Inequalities of.....	2317
Sumner, General, in command of American troops in Batangas.....	2317
Taft, Governor, disliked by American soldiers.....	2317
Tagalos:	
Effect on, of General Smith's order to kill and burn in Samar.....	2314-2315
Telegraphic system of.....	2317
Threaten Americans at Bauan.....	2317
Telegraphs, Tagalos.....	2317
Thomas, a boy of Quinka:	
Killed by natives.....	2311, 2312
Murderer of, captured.....	2312
Story of.....	2310-2311
Threats by Tagalos against Americans at Bauan.....	2317
Transportation from Philippines, controversy respecting.....	2333-2334
"War is hell," general meaning of.....	2320, 2330-2331
Water cure:	
Information secured by.....	2317
Witnessed by George T. Boardman in Batangas.....	2317

INDEX TO TESTIMONY OF LIEUT. JESSE LEE HALL.

	Page.
Alba River, military engagement	2432
Americans, Soldiers:	
Superior to Filipino soldiers.....	2433
Treatment generally of Filipinos	2435
Arms, secured by means of water cure	2431
Bell, General:	
Military policy	2437
Order relative to prisoners	2436
Report to General Wheaton of December 28, 1901	2436
Blanco, Don Juan:	
General characteristics.....	2429
Ruler of the Macabebes.....	2429
Boutelle, an American officer, killed.....	2433
Burning, instances of accidental, of houses, etc.....	2434
Bushwhacking, general	2436
Casualties:	
Proportion between Americans and Filipinos.....	2433
Filipinos inflict upon Americans.....	2432
Filipinos:	
General characteristics.....	2438-2439
Compared with Mexicans.....	2438-2439
Eager to learn English.....	2440
Incapable of self-government.....	2439
Inflict cruelties upon Americans.....	2432
Peaceful—	
Afraid to be friendly to Americans.....	2435
Instances of conditions.....	2438
Soldiers—	
Inferior to American soldiers.....	2433
Poor shots	2433
Treatment generally by Americans	2435, 2437-2438
Wounded, well treated by Americans.....	2437
Flag of truce, sacred.....	2435
Franchises, granting of, in Philippines advocated.....	2439-2440
Government:	
American, in Philippines—	
Established	2438
Probable effect of continuance.....	2439-2440
Proper conditions	2439
Known only to English and Americans.....	2439
Hall, Lieut. Jesse Lee:	
Testimony of.....	2428-2440
Commander of Macabebe scouts.....	2428
Military service in Philippines	2428
Hare, Maj. Luther R., commander of Thirty-third United States Volunteers..	2432
Information secured by means of water cure.....	2431
Katipunans:	
Early discovered by Macabebes.....	2435
Marks on body.....	2436
Terror inspired by.....	2435
Ladrones, general.....	2437
Lawton, General, idea of war in Philippines.....	2430
MacArthur, General, forbids use of torture for obtaining information.....	2430

LXXVI INDEX TO TESTIMONY OF LIEUT. JESSE LEE HALL.

Macabebes:	
Characteristics—	78
General	2428-2429, 2430, 2431
An industrious people	2430
As soldiers	2430
Malays	2430
Not negroes	2430
Pure Pampangan	2430
Compared with Tagaloes	2429, 2435
Cruel treatment by, instances of	2435
Government, baronial form	2435
Home on the Pampanga River	2435
Katipunans, easily discovered by	2435
Loyalty of—	
To Americans	2435
To Spanish	2435, 2436
Ruler, Don Juan Blanco	2435
Scouts, commanded by Lieut. Jesse Lee Hall	2435
Unfriendly with other Filipinos	2435
Uniform of soldiers	2435
Mexicans, compared with Filipinos	2437
Military engagements, casualties generally exaggerated	2437
Motelupa, military engagement	2437
Philippines:	
American authority, result of—	
Abandonment	2438
Continuance	2438
Conditions, natural	2438
Government, establishment of	2438
Schools	2438
Prisoners, order of General Bell concerning	2438
Punishment, not generally inflicted	2438
San Jacinto, military engagement	2438
Self-government, Filipinos incapable of maintaining	2438
Schools, Philippines	2438
Tagaloes:	
General characteristics	2437
Compared with the Macabebes	2429, 2435
Vino:	
Compared with water cure	2431-2432
Effect the same as absinthe	2432
Water cure:	
Compared with vino	2431-2432
Knowledge of	2431-2432
Method of administering	2430-2431
For procuring arms and information	2431
Practiced generally among Filipinos	2431
Rumors concerning	2431
Wilder, Colonel, water cure not sanctioned by	2431

INDEX TO TESTIMONY OF RICHARD T. O'BRIEN.

	Page.
American army:	
La Nog, violation of flag of truce	2566, 2568
Officers—	
Conduct—	
At marriage of presidente of San Joaquin	2546
Licentious	2546
Igharras—	
Alleged violation of Filipino woman	2586
When town burned	2578
Rations, alleged selling of, for private gain	2581, 2582
Soldiers—	
Igharras, alleged violation of Filipino woman	2579
La Nog—	
Citizens shot by	2550
Filipino boy shot at	2549
Boardman, Captain, trial of, for conduct at La Nog	2553
Bullets used by American army in Philippines:	
Different from Krag-Jorgensen bullets	2571
Effects—	
La Nog and Lapaz	2570, 2571
La Nog	2564-2565, 2567, 2568
Lapaz	2564, 2565
Opinion of witnesses	2571
Canteen, abolition of, articles written by Richard T. O'Brien	2567
Cartridges:	
Exhibited to Philippine Committee—	
Brought from Philippines	2569
Compared with Krag-Jorgensen cartridges	2570
Krag-Jorgensen, distinguishing marks	2570, 2571
Conger, Lieutenant, at Igharras when water cure administered	2545
Conway, Sergeant, remarks to Captain McDonald about killing of Filipinos ..	2565
Cook, Major, licentious conduct	2546
Dumdim bullets used at La Nog by Americans	2559
Explosive bullets, alleged use of, by Americans	2559-2561, 2563
Filipino woman, alleged violation at Igharras, hearsay testimony only ...	2582, 2588
Flag of truce, violation of, by Americans	2550, 2552, 2555
At La Nog	2566, 2568
Gargenero, Pedro, execution of, at Guimbal	2556
Glenn, Captain, at Igharras when water cure administered	2545
Guimbal, execution of Filipino bandit at	2554
Igharras:	
Burning of	2572
American officers present	2578
General discussion	2577
Filipino woman, alleged violation of, by American officers and men ..	2544-2545
General discussion	2577-2588
Exceedingly beautiful	2577
Names—	
Officers	2586
Soldiers	2579
Residence of woman	2572
Inez, prostitute, relations of American officers with	2546, 2549
Krag-Jorgensen:	
Bullet, effects of	2567
Cartridges, distinguishing marks	2570, 2571



INDEX TO TESTIMONY OF SERGT. JANUARIUS MANNING.

	Page.
Barrios, burning of.....	2256-2257
Conger, Lieutenant, secures first information respecting Private O'Hearn's death.....	2255
Cruelty, instances of, in Philippines.....	2256
Dugan, Private, murder of	2256
Filipinos:	
Peaceable, return to work after American invasion.....	2259
Prisoners—	
Food of.....	2255
Implicated in Private O'Hearn's murder shot in attempting to escape.....	2254, 2255
Treatment by American officers generally.....	2255-2256
Gregg, Captain, administering of water cure at Leon, in command.....	2257
Ordered by	2252
Hayes, Private, murder of	2256
Hughes, General, orders to treat Filipinos kindly	2256
Leon, water cure administered at, by Captain Gregg's command.....	2262
Manning, Sergt. Januarius:	
Testimony of.....	2251-2259
Military service	2251-2252
In Philippines	2252, 2255
Residence of	2251
Witnesses water cure at Leon	2252
O'Hearn, Private:	
Murder of	2252-2253
Confession of Filipino.....	2253-2254
First information of	2255
Remains found.....	2254
Tracy, Private, murder of.....	2256
Water cure:	
Leon—	
Administered by Captain Gregg's command.....	2252
Description of.....	2252-2253
Hearsay respecting	2257-2259
Purpose of	2252-2253
Victims confess to murder of Private O'Hearn.....	2253-2254



INDEX TO TESTIMONY OF WILLIAM J. GIBBS.

American soldiers:

Balangiga—

Mutilation of bodies in massacre..... 2296-2297, 2298

One soldier accused of rape, belief of American soldiers respecting ... 2298

Disappearance of..... 2298

Army orders as to treatment of Filipinos..... 2307

Balangiga:

Alleged case of rape on native woman 2298

American forces at 2298

Arrival of..... 2298

Food products destroyed by order of Captain Connell..... 2300

Massacre—

Burial of the dead..... 2302

Chief of police—

Brings Filipinos from the mountains..... 2301, 2302

Conduct before..... 2297

Killed..... 2300

Signal given by 2292

Description of..... 2285 et seq.

Survivors—

Go to Bamy..... 2306-2309

Number of..... 2288

Natives—

Conduct of, upon arrival of American troops..... 2294

Confined in Sibley tents 2285, 2290-2291, 2297

Employment of, by Captain Connell..... 2285, 2290-2291, 2293

Character of work done..... 2285, 2290-2293

Manner of feeding..... 2293

Morals of 2295

Number of, in massacre..... 2296

Occupation of 2290

Treatment of, by Captain Connell..... 2285, 2290-2293

Complaint of..... 2285, 2292

Unfriendliness of..... 2294-2294

Population..... 2290, 2290

Bookmiller, Captain, report of disaster at Balangiga 2287-2288

Bumpus, Lieutenant:

Killed at Balangiga..... 2290

Mutilation of body 2298

Burke, Corporal, heroic conduct at Balangiga 2297

Cathalogan, water cure at 2293

Death by 2293

Clark, Private, heroic conduct at Balangiga..... 2297

Connell, Captain:

Character of..... 2290

Efforts to cleanse Balangiga..... 2294-2295

Food products, orders destruction of, at Balangiga..... 2290

In command of forces at Balangiga 2294

Killed at Balangiga..... 2290

Natives of Balangiga—

Imprisoned by..... 2285

Orders to 2294-2295

Death from water cure at Cathalogan 2303-2304

LXXXII INDEX TO TESTIMONY OF BISHOP JAMES M. THOBURN.

Filipinos—Continued.	Page
Conditions at date of Paris treaty.....	2700
Desire for peace.....	2699-2701
Disposition of—	
Toward Americans.....	2699-2700
Improved feeling.....	2701
Toward Christian missions.....	2699-2700
Government—	
Governmental matters, opinion of Bishop Thoburn concerning.....	2699-2701
Proper form for.....	2701
Self-government, incapable of.....	2699
Twenty-five years required for.....	2699-2700
Intelligence—	
Grade of.....	2700-2701
Inferior to Japanese.....	2701-2702
Policy toward—	
Proposed.....	2702
Proper course of United States toward.....	2702
Relations of—	
With United States.....	2694
Opinion concerning.....	2692 et seq
Under the Constitution.....	2694
Responsibility of United States.....	2705
France, relations with Burma.....	2691
Germany, policy in the Far East, discussion.....	2695
Great Britain, policy in Asia, discussion.....	2695-2696
Hongkong:	
General conditions.....	2696
A prosperous city.....	2696
Municipal government.....	2703
Security of personal rights.....	2699, 2703
India:	
Chaos, probable result of withdrawal of Great Britain.....	2697
Christian faith.....	2696
Government.....	2696
Judiciary compared with judiciary of Philippines.....	2691
Population.....	2696
Japanese:	
Characteristics—	
Generally.....	2702
Racial.....	2702
General discussion.....	2701-2702
Recent progress.....	2702
Superior to Filipinos.....	2702-2703
Java, increase in population.....	2702
Judiciary, comparison of Philippines and India.....	2691
Languages, Malays.....	2690, 2702
McKinley, President, desire to avoid annexation of Philippines.....	2697
Macabebes:	
Relations with Americans.....	2697
With Spanish.....	2697
Malays:	
Characteristics.....	2700, 2702-2703
Classes of.....	2702
Cohesion, lack of.....	2702
Countries inhabited by.....	2702
Deficient for self-government.....	2702
Languages.....	2702
Straits Settlements.....	2702
Manila, representative Negritos at.....	2697
Missions:	
Connected with Government, disadvantages.....	2697-2698
Far East, comparison.....	2697-2698
American missionaries most successful.....	2697-2698
Nations, destiny, general discussion.....	2697-2698
Negritos, representative, in Manila.....	2697
Otis, General, report on operations of Aguinaldo.....	2697
Personal rights, security in Hongkong.....	2699, 2703

Philippines:	Page
General conditions between May, 1898, and January, 1899	2660
American authority, withdrawal of, result	2671-2672
Annexation, desire of President McKinley to avoid	2677
Christian missions, growth of	2690
Climate	2678
Judiciary compared with judiciary of India	2691
Piracy, Philippines	2670
None in Straits Settlements	2670
Policy, proposed, for Filipinos	2692
Population, India	2689
Raphaels, Sir Stafford, founder of Singapore	2671
Roman Catholics, India	2689
Self-government, capacity for:	
Filipinos	2673
Twenty-five years required	2675-2676
Malays	2670
Singapore:	
History and description	2671
Prosperity	2697-2698
Straits Settlements:	
Beneficial results of Great Britain's occupation	2697
History and description	2671
Malays	2689
Tagalos, hostility to Catholic Church	2704
Thoburn, Bishop James M., superintendent of missions at Singapore:	
Statement of	2668-2708
Experience in Philippines	2669
Opinion—	
As to desire of Filipinos in governmental matters	2693-2694
Respecting relationship of Filipinos to United States	2672 et seq
Stay of—	
In Malay Peninsula	2672
In Philippines	2672
Treachery, characteristic of Filipinos	2691, 2694
Treaty of Paris, conditions in Philippines at date of	2708
United States:	
Relations with Cuba	2677-2678
Responsibility for Filipinos	2705



INDEX TO TESTIMONY OF FRED M'DONALD, CAPTAIN COMPANY M, TWENTY-SIXTH VOLUNTEER INFANTRY.

	Page.
American troops:	
Disposition in Philippines	2777
Officers—	
Acquiesce in water cure	2784 2785
Violation of women in Philippines denied.....	2783
Barrios:	
Burning of.....	2782, 2783
General discussion	2786-2787
Bill of fare, July 4, 1900, in Philippines.....	2788
Birchy, Private:	
Character.....	2771
Military trials.....	2771
Testimony of Corporal O'Brien concerning, denied	2771
Boardman, Captain:	
Action concerning Pedro Garganera.....	2772 2774
Trial for conduct in relation to	2773-2774
Bread, at Iloilo	2758
Burning:	
Act of war	2787
Barrios	2782, 2783
General discussion	2786-2787
Igbarras	2783
Orders in regard to, issued during civil war in United States ...	2786, 2788 2820
Tubungan	2784
Captain, occupation and duties in time of war.....	2703
Civil war, United States, orders in regard to burning	2786, 2788 2820
Conway, Sergt. Matthew J., letter to Captain McDonald relative to insubor-	
 dination of Corporal O'Brien.....	2766
Cook, Maj. Frank A., Twenty-sixth Infantry:	
Not present at marriage of presidente of San Joaquin	2757
Orders, No. 48, relinquishing command of certain towns	2786
Cruelty, general orders prohibiting.....	2785
Dube, Isadore H., instances of water cure testified to, unknown to Captain	
 McDonald	2778
Filipino prisoners, rations issued to.....	2775
Garbino, native of Guimbal, testimony of Corporal O'Brien respecting, denied.	2771
Garganera, Pedro:	
Conduct of, at Guimbal.....	2771-2772
Noted bandit in the Philippines.....	2771
Trial and execution	2772-2774
Glenn, Edward P., captain Twenty-fifth Infantry:	
Judge-advocate for General Hughes	2776
Water cure at Igbarras—	
Acquiescence of	2777
Senior officer at	2777
Goodale, Lieut. James R., circular prohibiting cruelty to natives	2785
Guimbal:	
Conduct of Pedro Garganera at.....	2772
School established.....	2776
Hallock, Le Roy E., instances of water cure testified to, unknown to Captain	
 McDonald	2779
Hughes, General, staff officers.....	2777

LXXXVI INDEX TO TESTIMONY OF FRED M'DONALD.

Igbarras:	
Burning of.....	2767-2783
Corporal O'Brien not present	2783
Distance from San Joaquin.....	2767-2783
Population.....	2783
Presidente victim of water cure—	
Conduct.....	2780
Description	2780-2783
Results	2780
School established.....	2783
Spanish woman, violation of, by American officers, denied.....	2783
Water cure administered to presidente—	
Acquiescence of Captain Glenn.....	2783
Corporal O'Brien not present.....	2783
Forced to make confession	2783
Subsequent trial and sentence.....	2783
Woman friendly to Americans	2783
Irvine Brothers, account with Company M, Twenty-sixth Infantry	2783
Insurgents, thanks to Captain McDonald for kind treatment.....	2783
La Nog:	
Burning of.....	2762-2763, 2783
Statement of Corporal O'Brien as to shooting of Filipino boy and firing on flag of truce by Americans denied	2762-2763
Stronghold of ladrones.....	2762
Ladrones:	
Characteristics	2763
Stronghold of, at La Nog.....	2763
Letters, admissibility as evidence questioned	2753-2763
McDonald, Fred, captain Company M, Twenty-sixth Volunteer Infantry:	
Testimony	2752-2763
Feeling toward Corporal O'Brien	2763
La Nog, burning of.....	2762-2763, 2783
Marriage of presidente of San Joaquin—	
Not present at.....	2763
Reasons for not attending	2763
Military services in Philippines.....	2763
Orders to soldiers to treat natives kindly	2763
Prisoners, shooting of by Americans, denied	2763
Rations, reports concerning, submitted	2763
Residence and occupation.....	2763
Statements of Corporal O'Brien denied—	
Garbino, native of Guimbal	2763
Lieutenant Monogan.....	2763
Private Birchy	2763
Rations.....	2763
Food at Guimbal	2763
Furnished Filipino prisoners.....	2763
Selling of	2763
Shooting of Filipino boy and firing on flag of truce at La Nog	2762
That a price was set on his head.....	2762
Tubernan.....	2762
Telegram to Captain Pendleton, November 29, 1900, notifying him	2762
burning of Igbarras.....	2762
Thanked by insurgents for kind treatment	2762
Trial for conduct in relation to Pedro Garganera.....	2762
Water cure—	
Heard discussed.....	2762
Instances of—	
Knows of but one	2762
Testified to by Dube and Manning, unknown to	2762
Manning, Sergeant:	
Instances of water cure testified to unknown to Captain McDonald.....	2762
Trial	2762
Menn, July 4, 1900, in Philippines	2762
Miagao, school established	2762

INDEX TO TESTIMONY OF FRED M'DONALD. LXXXVII

Monogan, Lieutenant:	Page.
Character.....	2770
Military service	2770
Testimony of Corporal O'Brien concerning, denied.....	2770
Montau, ladrone:	
Fiendish conduct.....	2753-2754, 2756
Hanged at Jaro by American officers	2753
O'Brien, Corporal:	
Conduct—	
Instances of troublesome.....	2765
Letter of Sergeant Conway respecting insubordination	2766
Official record of service from July, 1900, to February, 1901	2767
Igharras—	
Not present at.....	2754
Presidente of, not present when water cure administered.....	2753
Statements of, denied—	
Rations.....	2768
Food at Guimbal	2770
Quotation from testimony respecting	2770
Furnished Filipino prisoners.....	2764
Shooting of Filipino boy and firing on flag of truce	2762 2763
Tubernan.....	2759 2760
Philippines:	
Schools established.....	2776
Native school-teachers	2776
Photographs, insurgents, presented to Captain McDonald	2761
Prisoners:	
Company returns.....	2759
Treatment by Americans.....	2761
Kind treatment ordered	2761
Shooting of by Americans, denied	2763 2764
Rations:	
Captain of company does not handle money to purchase	2758
Issued to Filipino prisoners	2775
Statement of Corporal O'Brien denied	2764
Reports submitted	2757 2758, 2775
Riley, Sergeant, letter to chairman of Philippine Committee.....	2754
Salaries, school-teachers, how paid	2776
San Joaquin:	
Distance from Igharras	2767
Presidente--	
Instance of food poisoning at breakfast	2757
Marriage of--	
Captain McDonald's reasons for not attending.....	2757
Unseemly conduct of American officers denied	2757
Sympathizer with insurgents.....	2757
School established.....	2776
Schools:	
Established in Philippines.....	2776
Teachers—	
Native, in Philippines	2776
Salaries, how paid.....	2776
Spanish woman, Igharras, violation of by American officers, denied.....	2753
Staff officers, General Hughes.....	2777
Torture, rules of war will not permit	2777 2778
Tubernan, Corporal O'Brien's statement relative to, denied	2759 2760
Tubungan, burning of	2784
Twenty-sixth Infantry, Company M:	
Accounts audited.....	2769
Funds properly accounted for	2769
United States civil war, orders in regard to burning.....	2785, 2788 2820
Water cure:	
Acquiesced in by American officers.....	2784 2785
Discussion of, known to Captain McDonald	2760

LXXXVIII INDEX TO TESTIMONY OF FRED M'DONALD.

Water cure—Continued.

Instances—	Page
Testified to by Isadore H. Dube, unknown to Captain McDonald.....	273
Testified to by Sergeant Manning, unknown to Captain McDonald.....	273
Orders prohibiting, not issued.....	274, 278
Presidente of Igbarras	273
Administered at Igbarras	273
Corporal O'Brien not present.....	273
Description	274, 278
Forced to make confession	273
Only case known to Captain McDonald	273
Results	273
Subsequent trial and sentence	273
Women, Philippines:	
Not violated by American officers	274
Igbarras, woman, friendly to Americans	274, 278
Spanish, violation of by American officers, denied	273

INDEX TO TESTIMONY OF COL. ARTHUR L. WAGNER, ASSISTANT ADJUTANT-GENERAL, UNITED STATES ARMY.

	Page.
Americans, conduct of, toward peaceably disposed Filipinos considerate.....	2865
Atlanta, burning of, by General Sherman a military necessity.....	2872
Barrios, instances of burning.....	2864
Batangas:	
Ladrones active.....	2853
Military policy—	
Change of.....	2855-2856
Course of General Sumner, predecessor of General Bell.....	2854
Orders—	
Early.....	2854-2855
Increased severity of.....	2855
One of the worst provinces to pacify.....	2868
Reconcentration policy.....	2853
Orange crop, loss under.....	2875
Bates, General, order prohibiting acts of cruelty.....	2858
Bell, Gen. J. F.:	
Actions in Batangas in accordance with military instructions.....	2854
Character as officer and man.....	2864-2865
Order—	
January 23, 1901, respecting issue of food gratuitously.....	2877
Natives should be humanely treated.....	2885
Statement of reasons for establishing reconcentration camps.....	2870
Brown, Lieut. Preston, military trial.....	2859
Burning:	
Barrios—	
Barrio near Tanuan, pest hole of ladrones.....	2874
Instances of.....	2874
Retaliatory measure.....	2874
Dolores, as a military measure.....	2874
Rules of war concerning.....	2856-2857
Catlin, Lieutenant, conduct in Tayabas result of unsound mind.....	2859-2860
Cavite, one of the worst provinces to pacify.....	2868
Church:	
Females imprisoned in.....	2873
Largest structure in a Filipino town.....	2873
Cold weather, Philippines, February, 1902.....	2848
Cruelty, order of General Bates prohibiting.....	2858
"Dead line:"	
Reconcentration camp.....	2849
Discussion.....	2852
Object of.....	2851
Dolores:	
Burning as a military measure.....	2874
Prior to General Bell assuming command.....	2874
Female prisoners of war.....	2873
Filipinos:	
Conference with General Sumner at Lipa.....	2868
Disparity in killed and wounded in battle, explanation.....	2866-2867
Houses, character of.....	2879-2880
Indiscriminate shooting of, unfounded.....	2870
Order of General Bell to treat humanely.....	2865

XO INDEX TO TESTIMONY OF COL. ARTHUR L. WAGNER

Filipinos—Continued.

Prisoners—

Confinement of—

In church, general conditions

Instances

Treatment

Protection against ladrones necessary

Reconcentration policy, greater part of expense paid by

Return to work after pacification of provinces

Solicitude of General Wheaton for

Flag of truce, firing on:

Report of General Smith, November 11, 1899

Violation of laws of war

Food:

Order of General Bell of January 23, 1901, respecting issue of, gratuitously

Plentiful, at reconcentration camp, Santo Tomas

Reconcentration policy respecting

Gardener, Major:

Character

No complaints from, respecting conditions in Tayabas

Report to Governor Taft discussed

Highways:

Instances of natives repairing

Labor on, for fifteen days required by Spanish law

"Hombre," definition of

Hughes, Gen. R. P.:

Departments under command in Philippines

Quotations from testimony respecting manner of conducting war in Philippines

Insurrectionary force, none in Philippines at present

Ladrones, prey upon Filipino towns

Laguna:

Ladrones active

One of the worst provinces to pacify

Reconcentration policy

Orange crop, loss under

Laws of war:

Firing on flag of truce not permitted

Rule 102, no distinction in regard to sex

Torture not justifiable under

Lipa, conference of General Sumner with Filipinos

Malvar, surrender due to reconcentration policy

Military policy:

Authorities, establishment of schools by

Change in Batangas

Departments

Orders—

Increased severity in Batangas

Reconcentration

Noncombatants, burning property of, rules of war

Orange crop in Laguna and Batangas, loss under reconcentration policy

Palay, defined

Pearl, Peter, complaints to War Department with reference to water cure unfounded

Philippines:

Military departments

No insurrectionary force at present

War—

Disparity in killed and wounded in Filipino army explained

Manner of conducting

Quotations from testimony of General Hughes respecting

Rules of civilized warfare observed

Weather in February, 1902

Prisoners of war:

Female

Killing, when justifiable

Punishment, when justifiable

Reconcentration policy:

Camps—	Page.
Authority for	2870
Conditions	2847
“Dead line”	2849
Discussion	2862
Description given in a letter from United States Army officer....	2877-2878
Existence of camp disbelieved by Colonel Wagner	2878
Distances apart	2871
Expenses paid mostly by Filipinos	2877
Liberty of	2849
Number of	2861
People—	
Number of	2873
Occupations	2849
Rich, suffer losses by being confined in	2875, 2876
Santo Tomas—	
Abandonment	2851
Description of	2847
Number of people	2871
Schools	2862
Statement of General Bell concerning reasons for establishment	2870
Tanauan, number of people	2861
Cuba, under General Weyler	2852
Difference in Philippines and Cuba	2852
Discussion	2872
Effect on different classes in Philippines	2852
General Wheaton	2871
Military orders	2862
Observed in Batangas and Laguna only	2853
Purpose	2851-2851
Results	2850
Statement of Gen. Loyd Wheaton concerning	2861
Surrender of Malvar due to	2851
With respect to food	2876, 2877
“Rich people:”	
Loss under reconcentration policy	2875, 2876
Meaning of the term in Philippines	2876
Rules of war:	
Concerning burning	2856-2857
General Orders, No. 100	2872
Samar, character of warfare	2870
Santo Tomas reconcentration camp:	
Abandonment	2851
Conditions	2847-2848
Description	2847
Food plentiful	2848-2849
Number of people	2871
Schools:	
Established by military	2867
Reconcentration camps	2862
Sex, no distinction regarding, under laws of war	2863
Sherman, Gen. W. T., burning of Atlanta a military necessity	2872
Smith, Gen. Jacob H., report, November 11, 1899, respecting firing on flag of truce	2867
Spanish law, fifteen days' labor required on highways	2864
Sumner, Gen. Samuel S.:	
Conference with Filipinos at Lipa	2866
Military course in Batangas	2854, 2855
Tagalos, inhabitants of Cavite, Batangas, and Laguna	2866
Tanauan, barrio near:	
Burned prior to General Bell assuming command	2864
Pest hole for Ladrones, burning of	2854
Torture:	
Punishable by death	2860
Violation of laws of war	2860, 2860

XCII INDEX TO TESTIMONY OF COL. ARTHUR L. WAGNER.

Wagner, Col. Arthur L., assistant adjutant-general, United States Army:

Statement of	2846
Correction of former testimony	
Burning villages not witnessed by	
Disbelieves existence of reconcentration camp described in letter of army officer	
Military service	
Cuba	
Philippines	2846, 2853-2854
Relates only to Luzon	
Opinion as to manner of conducting war in Philippines	
Report to Gen. Loyd Wheaton, synopsis of	2846
Water cure, unfamiliar with	

War:

Laws of civilized warfare—

Concerning—

 Burning

 Property of noncombatants

Firing on flag of truce not permitted

General Orders, No. 100

Observance in Philippines

Prisoners—

 Killing when justifiable

 Punishment when justifiable

Torture not justifiable under

Philippines—

 Character in Samar

 Disparity in killed and wounded in Filipino army explained

 Manner of conducting

 Quotations from testimony of General Hughes concerning

Water cure:

 Colonel Wagner unfamiliar with

 Complaints of Peter Pearl to War Department unfounded

Weyler, General, reconcentration policy in Cuba

Wheaton, Gen. Loyd:

Reconcentration—

 Policy respecting

 Statement of purpose of

 Solicitude for welfare of Filipinos

Women, 127 imprisoned in church

INDEX TO TESTIMONY OF MARK H. EVANS.

	Page.
Abucay:	
Burning of.....	2886, 2894
Population.....	2886
American:	
Army orders kind treatment of Filipinos.....	2890
Soldiers—	
Detailed as school-teachers.....	2892
Instances of mutilation	2890
Treatment of Filipinos.....	2887, 2891
Prisoners	2889
Wounded.....	2889
Angeles, conditions after American occupation.....	2895
Bagot, villages burned in.....	2887
Bataan:	
Conditions.....	2894
Insurrection	2890
Ladrones	2891
Military occupation.....	2881
Villages burned in.....	2887
Burning:	
Abucay.....	2898
Bagot	2887
Bataan	2887
El Capitan.....	2887
Percentage of houses.....	2893-2894
Reasons for.....	2886-2888
Villages	2886, 2887, 2894
Cruelty:	
Macabebes at Orani.....	2886
Water cure	2885
El Capitan, burning.....	2887, 2894
Filipinos:	
Prisoners. (See Prisoners.)	
Return to their homes after American occupation.....	2892-2895
Schools, attendance good.....	2893
Treatment by Americans.....	2887, 2891
Orders of American Army respecting	2890
Wounded.....	2889
Government established in conquered towns	2892-2893
Houses, percentage burned.....	2893-2894
Icans administer water cure east of Orani	2881
Insurrection, Bataan	2890
Ladrones	
Bataan and Zambales.....	2891
Habitation.....	2888
Luzon	2891
Surrender of	2891
Luzon, ladrones.....	2891
Macabebes:	
Administer water cure east of Orani	2881-2882
Cruelty of	2886
Military orders, American Army, treatment of Filipinos	2890, 2892
Mutilation, American soldiers, instances of.....	2890



INDEX TO TESTIMONY OF SEIWARD J. MORTON.

	Page.
American soldiers:	
Detailed as school-teachers	2803
Fired on from ambush	2804
Treatment of Filipinos	2800, 2801
Prisoners	2802-2803
Barrios, burning, instances	2800-2801
Battles, Philippines, proportion of killed and wounded on each side	2801-2802
Bender, Private, assists in administering water cure at San Miguel	2897-2898
Burning:	
Barrios, reasons for	2800
Houses, rules of war	2805-2806
Villages—	
Instances	2800
Reasons	2804
Conger, Lieutenant, commander of American troops administering water cure	2898, 2899
Cruelty, isolated cases	2801
Filipinos:	
Fight from ambush	2801
Treatment by American soldiers	2800, 2801
Wounded seldom seen	2801
Glenn, Captain, commander of American forces administering water cure	2898-2899
Gordon Scouts, activity around Iloilo	2800
Houses, burning, instances	2800
Hughes, Gen. R. P., policy toward Filipinos	2803, 2804
Iloilo, water cure, prevalence around	2800
Nipa houses, description	2804
Philippines, battles, proportion of killed and wounded on each side	2801-2802
Prisoners, Filipino, treatment by Americans	2802-2803
San Miguel:	
Filipino treachery at	2896-2897
Water cure administered to officials	2897
Schools taught by American soldiers	2803
Swilling, Bert B., stenographer to Captain Glenn, relates instances of water cure	2899
Villages, burning, instances	2800
War, rules of, burning houses of enemy	2805-2806
Water cure:	
Administered to officials of San Miguel	2897
Description	2897-2898
Effect	2897-2898
Instances	2899
Prevalence around Iloilo	2800
Well known	2800



INDEX TO TESTIMONY OF ADMIRAL GEORGE DEWEY.

	Page.
Aguinaldo:	
Actions, immateriality of	2937
Advice of Vice-Admiral Seymour.....	2935-2936
Alliance with, denied.....	2984
Army	2941
Filipinos rally to, rapidly.....	2940
Operations.....	2980
Around Manila.....	2928, 2961-2962
Dispatch to Navy Department.....	2935
Organization of.....	2972
Assistance rendered	2969
Encouraged.....	2958, 2970
Permitted to take possession of arms and invest Manila	2935
Provisions for	2982
Arms and ammunition received	2952-2953
Arrival at Manila on steamer McCulloch	2927, 2928, 2935
Dispatch to Navy Department.....	2935
Permission granted.....	2970
Article in Singapore Free Press concerning.....	2947-2948
Assistance to Americans	2928
Desire for.....	2928
Betrayal of Filipinos, rumor throughout the East.....	2971
Call on Consul Wildman.....	2951
Character—	
Discussion	2963 et seq.
Efforts to blacken	2964, 2975
Rumors through the East	2971
Conference with—	
Consul-General Pratt, publication of Howard Bray in Singapore Free Press	2931
General Anderson.....	2980
General Anderson and Admiral Dewey	2978
Confidence in, lack of	2927, 2984
Controversy with Artacho respecting money	2964
Correspondence with Navy Department concerning.....	2958
Desire of —	
Independence of Filipinos, not known.....	2934
To attack Manila, dissuaded from	2956
To go to Japan	2928
Discouraged	2928, 2937
Discussion in committee concerning	2959
Financial transactions	2975
Efforts to exchange silver for gold.....	2971
Opinion concerning.....	2971-2972
First official information concerning.....	2927, 2930
Friendly.....	2928
Friends of, given offices by United States	2973-2974
Government of, never recognized.....	2929
Headquarters—	
Bacoor	2928
Cavite.....	2972
Insurrection, small part in.....	2962

XCVIII INDEX TO TESTIMONY OF ADMIRAL GEORGE DEWEY.

Aguinaldo—Continued.

Letters—

Consul Wildman concerning 295

General Anderson—

July 18, 1898, to Adjutant-General U. S. A. 296

July 21, 1898, to Adjutant-General U. S. A. 297-297

August 14, 1898 297

Looting by, immediately upon arrival at Manila. 297

Loyalty to Americans, suspicions concerning 298

Malolos, luxurious life at 298, 299

Money—

Controversy with Artacho. 294

Probable source of, for purchase of arms and ammunition 295

Received from Spaniards, quotation from Senate Document No. 62,

Fifty-third Congress, third session. 298

Opinions concerning—

Admiral Dewey 2932, 2956-2959

American officers. 2960 et seq

General Greene 2963-2964

Honesty of. 2965 et seq

Policy

Printing-press given to. 299

Prisoners, Spanish—

Captured by 297

Ordered to treat kindly. 298

Received from Americans at Subig Bay. 297

Treatment of 2957, 2976

Proclamations of independence. 2928, 2953-2955

July 15, 1898. 299

First intimation that Filipinos desired independence. 297

Little importance attached to. 295

Transmitted to Secretary of Navy 2954, 2977

Purpose in Philippines 2958-2960, 297

Manila 298

Mercenary motives 2965-2966

Opinion concerning 2955 et seq

Relations with—

Admiral Dewey 2955-2956

Consuls Pratt and Wildman. 297

Rumors concerning—

Offers from United States. 2973

Treachery of. 2963 et seq

Statements concerning—

General Anderson. 2972

General Greene, before Paris Peace Commission. 2973

General Whittier, before Paris Peace Commission. 2974-2975

Success of, report concerning. 2973

Tempting offers to, rumors concerning. 2951-2952

Terms in which addressed 2927, 2928, 2974

Understanding with 2977

Visit of General Anderson and Admiral Dewey 2977

Albay:

United States garrisons at. 297

Military stations abandoned 297

Allen, Henry T., chief of Philippine constabulary, reports on conditions of law and order in islands 2976, 2977

Antique, military stations abandoned in 297

Anderson, General:

Article in North American Review 297

Conference with Aguinaldo 297

Ideas of 297

Letters of—

Advised not to write 297

To Adjutant-General, United States Army (July 18, 1898), concerning Aguinaldo 297

To Adjutant-General United States Army (July 21, 1898), concerning Aguinaldo 297

Anderson, General—Continued.	
Letters of—Continued.	Page.
To Aguinaldo (July 4, 1898)	2974
To Aguinaldo (July 6, 1898)	2974
Orders to	2978
Relations with	2974
Statement—	
Respecting Aguinaldo	2980
Situation in Philippines upon his arrival	2979
Aparri, petition for retention of United States troops	2912
Arms:	
Purchased by Filipinos at Hongkong	2940
Supplied to Filipinos	2940
Artacho, controversy with Aguinaldo respecting money	2934
Bacoor, headquarters of Aguinaldo	2928
Bataan, United States troops withdrawn from most points in	2908
Bell, General, opinion as to Aguinaldo	2937
Benquet, United States troops withdrawn from all points	2908
Bontoc, United States troops withdrawn from all points	2908
Bray, Howard:	
Publication in Singapore Free Press, conference between Consul-General Pratt and Aguinaldo	2931
Unreliable	2931
Bulacan:	
Military stations abandoned in	2907, 2908
United States garrisons in	2908
United States troops withdrawn from certain points	2907, 2908
Cable cutting, between Manila and Hongkong	2952
Cagayan:	
Military stations abandoned in	2907, 2908
United States garrisons in	2908
Camarines:	
Military stations abandoned in	2907, 2908
United States garrisons at	2908
Camarines Norte, insurgent chiefs not yet surrendered	2913
Cana, Bernardo, insurgent chief in Camarines Norte	2913
Capiz, military stations abandoned in	2908
Cavite:	
Looted by Aguinaldo	2771
United States garrisons in	2908
United States troops withdrawn from	2908
Caziare, Lieutenant, meritorious services in Majayjay	2914
Cebu, military stations abandoned in	2908
Chaffee, General, report on alleged murder of natives at Sonogon	2907
Cigarettes, production and exports	2920
Cigars, production and exports	2920
Coal, capture of by Admiral Dewey at Manila	2903
Coffee, production and exports	2921
Coghlan, Captain, capture of Spaniards at Subig Bay	2942
Commerce:	
Philippines	2921
Benefits of reduction of duties	2922
Consuls, English and Belgian, at Manila convey to Admiral Dewey offers of Spanish governor-general to surrender	2931
Copra, production and exports	2921
Cubans, compared with Filipinos	2934 et seq., 2938
Dewey, Admiral:	
Advice received at Manila	2932
Aguinaldo:	
Assistance of, desired	2928
Correspondence with Navy Department respecting	2938
Disagrees with statements of military officers concerning	2931
First intimation concerning	2927
Friendly with	2928
No faith in	2927
Reasons for encouraging	2937

C INDEX TO TESTIMONY OF ADMIRAL GEORGE DEWEY.

Dewey, Admiral—Continued.

Aguinaldo—Continued.

Relations with	2855-2856
Terms used in addressing	2927, 2928, 2929
Departure from Mirs Bay for Hongkong.....	2857
Dispatch to Navy Department—	
May 2, 1898.....	2859
May 24, 1898, to Navy Department.....	2859
May 27, 1898, arms and ammunition for Aguinaldo.....	2892-2893

Manila:

First to see white flag at	2843
Negotiations for capitulation of	2843
Participation in capture of	2850
Reasons for not accepting surrender of	2927, 2928, 2929, 2930
Motives actuating	2857
No faith in Filipinos.....	2857
No recognition of Filipino government.....	2858
Official correspondence in Navy Department	2851
Reasons for—	
Encouraging Filipinos to fight Spaniards.....	2858
Leaving Hongkong.....	2832-2833

Testimony

Views of different from many military officers.....	2857
---	------

Duties, benefits of reduction on trade and commerce.....	2853
--	------

Education, Filipinos.....	2853
---------------------------	------

Exports, Philippines:

Statement concerning.....	2851
Statistical tables.....	2852-2853

Fergusson, A. W., executive secretary, transmits to War Department statement of military posts, etc., in the Philippines.....	2807
---	------

Filipinos:

Admiration for United States	2856
Armed bodies.....	2841

Arms—

Purchased at Hongkong	2840
Supplied to	2841

Assembling of army at Manila	2853
------------------------------------	------

Betrayal by Aguinaldo rumored.....	2853-2854
------------------------------------	-----------

Bother Admiral Dewey.....	2852-2853
---------------------------	-----------

Capture of Spaniards at Cavite	2844
--------------------------------------	------

Case against Spaniards compared with negroes in civil war.....	2853
--	------

Characteristics	2852-2853
-----------------------	-----------

Compared with Cubans.....	2934 et seq.
---------------------------	--------------

Desired only to be rid of Spaniards	2853
---	------

Education	2853
-----------------	------

Employed at navy-yard, Cavite, kindly disposed	2853
--	------

Expectations.....	2853
-------------------	------

Flag. (*See* Flag, Filipino.)

Government not organized.....	2851
-------------------------------	------

Gratitude to Americans for liberation from Spain.....	2851
---	------

Hongkong—

Frivolous.....	2853
Proclamation of independence	2853

Incapable of self-government.....	2853
-----------------------------------	------

Independence—

Desired, proclamation of Aguinaldo first intimation to Admiral Dewey.....	2853
No American cooperation for.....	2853
Not desired at first	2853

Language	2853
----------------	------

Military organization.....	2853
----------------------------	------

Murder of, near Sorsogon, report of General Chaffee.....	2853
--	------

No faith of Admiral Dewey in.....	2853
-----------------------------------	------

None under arms May 1, 1898.....	2853
----------------------------------	------

Not trusted with prisoners	2853
----------------------------------	------

Political experience	2853
----------------------------	------

Probable effect upon Manila if permitted to enter	2853
---	------

Forces.....	2853
-------------	------

Number of men under arms.....	2853
-------------------------------	------

Filipino—Continued.	Page.
Proclamation, transmission of, to Secretary of State by Consul-General Pratt.....	2950
Purpose subserved by, at Manila.....	2936
Refusal of one, to leave Hongkong without toothbrush.....	2932, 2933
Report to Admiral Dewey that 30,000 would rise at firing of first American gun.....	2927
Spaniards received by, from Americans at Subig Bay.....	2942
Treatment of—	
Friars.....	2957
Spanish prisoners.....	2956, 2957, 2967, 2975
Flag, Filipino:	
Description.....	2976
First display of.....	2941
Ignored by Admiral Dewey.....	2941
No recognition of.....	2929
Opinion of Admiral Dewey.....	2976
Friars' lands:	
Instructions to Governor William H. Taft concerning.....	2924-2926
Treatment of Filipinos.....	2957
Garrisons, United States troops in islands.....	2908, 2909
Godfrey, Colonel Ninth Cavalry, meritorious services in Legaspi.....	2913
Gomez (Cuban), money received by.....	2974
Greene, General:	
Opinion as to Aguinaldo.....	2963, 2964
Statement before Paris Peace Commission concerning Aguinaldo.....	2981
Hemp, production and exports.....	2920
Hongkong:	
Distance from Mirs Bay.....	2933
Filipinos at, frivolous.....	2933
Proclamation of independence.....	2948
Newspapers read by Admiral Dewey.....	2947
Ilan, petition for retention of United States troops.....	2911
Ilocos Norte:	
Military stations abandoned in.....	2907, 2908
United States garrisons in.....	2908
Ilocos Sur:	
Military stations abandoned in.....	2907, 2908
United States garrisons in.....	2908
Iloilo (province), military stations abandoned in.....	2908
Iloilo (town), petition from foreign residents to Admiral Miller to not bombard.....	2976
Indan, petition for retention of United States troops.....	2913
Independence:	
Filipino—	
No American cooperation for.....	2931
Not originally considered by Filipinos.....	2939
Proclamation of Aguinaldo, July 15, 1898.....	2949
First intimation to Admiral Dewey that Filipinos desired.....	2928
Indigo, production and exports.....	2921
Irosin. (See Sorogon.)	
Isabela:	
Military stations abandoned in.....	2907, 2908
United States garrisons in.....	2908
Jaudenes, Gen. Fermin, communications with Admiral Dewey relative to capitulation of Manila.....	2944, 2945
Lagonoy, petition for retention of United States troops.....	2909
Lands, friars', instructions to Governor William H. Taft concerning.....	2924-2926
Language, Filipino.....	2952
La Union:	
United States garrisons in.....	2908
Troops withdrawn from certain points.....	2907
Legaspi, petition for retention of United States troops.....	2913
Lepanto, United States troops withdrawn from most points.....	2908
Leyte, military stations abandoned in.....	2908
McCulloch, steamer, brings Aguinaldo and other Filipinos from Hongkong to Manila.....	2927, 2928, 2931
MacArthur, General, opinion as to Aguinaldo.....	2908
Mail tampered with in Philippines.....	2949

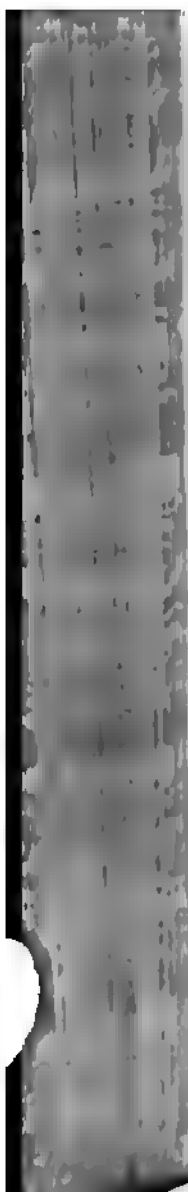
CIV INDEX TO TESTIMONY OF ADMIRAL GEORGE DEWEY.

Majayjay, petition for retention of United States troops	
Malolos, magnificent living of Aguinaldo at	
Manila:	
Attack on—	
Communication of General Merritt to Admiral Dewey	
No surprise at	
Capitulation—	
Diplomatic negotiations concerning	234
Known to American squadron	234
Manner of	
Negotiations for	
Filipino army assembled at	
Invited by Aguinaldo, permission of Admiral Dewey	
Number of troops necessary to hold	
Probable effect of permitting Filipinos to enter	
Spanish Governor-General—	
Offers to surrender to Admiral Dewey	236
Belgian consul conveys, to Admiral Dewey	
English consul conveys, to Admiral Dewey	
Virtual surrender to Admiral Dewey, May 1, 1898	236
Surrender	
Probable May 1, 1898, if 5,000 American troops had been present	
To Admiral Dewey	
Description	232
Marigan, Felipe, insurgent chief in Camarines Norte	
Marinduque, United States troops withdrawn from certain points in	
Masbate, United States troops withdrawn from most points in	
Megarda, officer of Aguinaldo in charge of Spanish prisoners	
Merritt, General:	
Communication to Admiral Dewey respecting attack on Manila	
Disbelief in integrity relative to surrender of Manila	234
Military posts	
Abandoned	230
Communication from A. W. Ferguson, executive secretary to Secretary of War	
Mirr Bay:	
Departure of Admiral Dewey from	
Distance from Hongkong	
Misamis, United States troops withdrawn from certain points in	
Money, where procured for purchase of arms and ammunition by Aguinaldo	
Navy Department, custodian of official correspondence of Admiral Dewey	235
Negros. (See Occidental Negros.)	
Norman, Captain, meritorious services in Majayjay	
Nueva Ecija:	
United States garrisons in	
Troops withdrawn from certain points	
Occidental Negros, military stations abandoned in	
Oriental Negros, United States troops withdrawn from certain points in	
Pampanga:	
United States garrisons in	
Troops withdrawn from certain points	234
Pangasinan:	
United States garrisons in	
Troops withdrawn from certain points	234
Paris Peace Commission, statement of—	
General Greene before, concerning Aguinaldo	
General Whittier before, concerning Aguinaldo	236, 238
Philippines:	
American sovereignty necessary	
Commission (first), quotation from report	236
Constabulary, report of Acting Governor Luke E. Wright to General Chaffee	
Encouraging conditions	
Foreign trade	
Information concerning, limited prior to battle of Manila Bay	
Mail tampered with	

Philippines—Continued.	Page.
Military situation upon arrival of General Anderson.....	2979, 2980
Productions and exports.....	2920-2922
Providential interference.....	2982-2983
Reign of terror.....	2941, 2969
Reports of Henry T. Allen, chief of Philippine constabulary, on con- ditions of law and order.....	2916, 2917
Scouts, desertion of certain.....	2913
Statistical tables of exports.....	2922-2923
Political experience, Filipinos.....	2982
Pratt, Consul-General (Singapore):	
Activity in Philippine affairs.....	2980
Correspondence with—	
Admiral Dewey.....	2931
Secretary of State.....	2948
Many letters to Admiral Dewey.....	2931
Relations with Aguinaldo.....	2969
Telegrams concerning Aguinaldo.....	2927, 2930-2931
Transmits proclamation of Filipinos to Secretary of State.....	2950
Principe, United States garrisons in.....	2908
Printing press, given to Aguinaldo by Admiral Dewey.....	2949
Prisoners, Spanish:	
Captured by Aguinaldo.....	2961
Treatment by—	
Aguinaldo.....	2976
Filipinos.....	2956, 2957, 2967, 2975
Proclamation, Filipinos, transmission of to Secretary of State by Consul-General Pratt.....	2950
Providence, interference in Philippines.....	2982-2983
Reign of terror, Philippines.....	2941, 2969
Rizal, United States troops withdrawn from most points.....	2908
Romblon, United States troops withdrawn from all points.....	2908
Santa Cruz, petition for retention of United States troops.....	2912
Sargeant and Wilcox, report on interior of Philippines.....	2906-2907
Schurman, Dr., opinion as to Aguinaldo.....	2968
Secretary of War, transmits to Philippine Committee report of General Chaffee on reported murder of natives at Sorsogon.....	2906
Segovia, Raymundo, insurgent chief in Camarines Norte.....	2913
Self-government, Filipinos incapable of.....	2983
Senate Document:	
No. 62, Fifty-fifth Congress, third session, quotation from, relative to Aguinaldo obtaining money from Spaniards.....	2963-2964
No. 208, reference to.....	2974
Seymour, Vice-Admiral, advice to Aguinaldo.....	2935-2936
Shuster W. Morgan, collector of customs, Philippine Archipelago, report to Acting Governor Luke E. Wright.....	2920
Singapore, Pratt, United States consul-general at.....	2927
Singapore Free Press:	
Article concerning Aguinaldo.....	2947-2948
Article in, correspondence relative thereto between Consul Pratt and Sec- retary of State.....	2947-2948
Communications of Howard Bray, conference between Consul-General Pratt and Aguinaldo.....	2931
Sorsogon:	
Military stations abandoned in.....	2906
Murder of natives—	
Report of General Chaffee concerning.....	2907
Transmitted to Philippine Committee.....	2906
United States garrisons at.....	2909
Sovereignty, American, necessary in Philippines.....	2983
Spaniards:	
Capture of forces at Subig Bay.....	2942
Commander at Manila—	
Arrangements with Admiral Dewey for surrender of city.....	2929
Offers of surrender to Admiral Dewey.....	2931, 2934
Virtual surrender to Admiral Dewey, May 1, 1898.....	2927, 2935

CIV INDEX TO TESTIMONY OF ADMIRAL GEORGE DEWEY.

Spaniards—Continued.	23
Military position in Manila after battle of Manila Bay	231 23
Payment of money to Aguinaldo, quotation from Senate Document No.	233 24
69, Fifty-fifth Congress, third session	233 24
Prisoners. (See Spanish prisoners.)	
Subig Bay, turned over to Filipinos	23
Spanish prisoners.	
Captured by Aguinaldo	231
Treatment by Aguinaldo	233
By Filipinos	235-237, 247, 253
Statistics, tables of exports from Philippines	232 23
Subig Bay, Spanish forces captured at	231
Sugar, production and exports	231
Surigao, United States troops withdrawn from certain points in	233
Taft, Governor William H., instructions relative to friars' lands	235-236
Tarlac.	
United States garrisons in	236
Military stations abandoned in	237, 238
Tayabas:	
United States garrisons at	238
Withdrawal from	238
Tobacco, production and exports	232
Trade, Philippines	232
Treachery, Aguinaldo to Filipinos, rumors of	233 et seq.
Umingan, petition for retention of United States troops	231
United States.	
Sovereignty of, necessary in Philippines	233
Troops—	
Independent of forces of Aguinaldo	233
Number necessary at Manila	233
Petition for retention	233, 235
Withdrawal from certain places	237, 238
Vessels, transportation, Philippines	231
Whittier, General:	
Statement—	
To Paris Peace Commission	231
Relative to Aguinaldo	234, 235
Wilcox and Sargeant, report on interior of Philippines	233-234
Wildman, Consul-General (Hongkong):	
Characteristics	235
Conversation, probable, respecting Aguinaldo	235
Letters of—	
To Admiral Dewey, relative to Aguinaldo	235, 236
To Acting Secretary of State, July 18, 1898	235
To Secretary of State, respecting Aguinaldo	235
Relations with Aguinaldo	236
Williams, Consul:	
Arrival at American fleet	236
Characteristics	236, 237
Letter to State Department, June 16, 1898, treatment of Spanish prisoners	
by Filipinos	237
Relative to Tagal insurrection	237
Opinion of Aguinaldo	237
Report to Admiral Dewey that 30,000 would raise at firing of first American	
gun	237
Wright, Acting Governor Luke E., report to General Chaffee on Philippine	
constabulary	235
Yasis brothers, insurgents in Indan	23
Zambales:	
Military stations abandoned in	237, 238
United States garrisons in	238



1
2
3
4
5

6

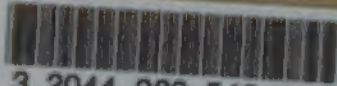
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